

STATE OF KANSAS

SENATE CHAMBER

MADAM PRESIDENT:

I move to amend **SB 341**, as amended by Senate Committee, on page 1, in line 23, by striking "shall not" and inserting "may"; in line 27, by striking "physician" and inserting "health care provider, provided that any such system or program that restricts coverage shall:

(1) Not be used";

Also on page 1, in line 28, after "2016" by inserting ";

(2) require that the recipient try and fail only one prescribed drug on the preferred drug list before the product or therapy recommended by the recipient's health care provider can be prescribed and become eligible for coverage; and

(3) give the prescribing health care provider access to a clear and convenient process to expeditiously request an override of such restriction whenever the health care provider demonstrates that:

(A) The required prescription drug is contraindicated or will likely cause an adverse reaction or physical or mental harm to the recipient;

(B) the required prescription drug is expected to be ineffective based on the known clinical characteristics of the recipient and the known characteristics of the required prescription drug;

(C) the recipient has tried the required prescription drug, or another prescription drug in the same pharmacologic class or with the same mechanism of action, while under such recipient's current or previous health insurance or health benefit plan;

(D) the required prescription drug is not in the best interests of the recipient, based on medical necessity; or

(E) the recipient is stable on a prescription drug selected by such recipient's health care provider for the medical condition under consideration"

Senator _____