

SESSION OF 2015

SUPPLEMENTAL NOTE ON SENATE BILL NO. 123

As Recommended by Senate Committee on
Public Health and Welfare

Brief*

SB 123 would repeal KSA 2014 Supp. 39-7,121b, which prohibits requirements for prior authorization or other restrictions on medications used to treat individuals with mental illnesses who are Medicaid recipients. Medications in the existing statute available without prior authorization or other restrictions include atypical medications, conventional antipsychotic medications, and other medications used for the treatment of mental illness.

Background

The bill was introduced by the Senate Committee on Public Health and Welfare.

In the Senate Committee, testimony in support of the bill was provided by the Acting Secretary of Health and Environment, the Secretary for Aging and Disability Services, and representatives of Amerigroup Kansas Plan, Sunflower Health Plan, and UnitedHealthcare Community Plan. The proponents generally stated the bill would provide flexibility for the Medicaid agency to collaborate with mental health providers and develop policies that ensure access to care and protect the health and well-being of vulnerable Kansas residents. Written testimony in support of the bill was provided by a representative of Kansas Independent Pharmacy Service Corporation.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Testimony in opposition to the bill was provided by representatives of the Association of Community Mental Health Centers of Kansas, Inc., Family Service and Guidance Center, High Plains Mental Health Center, Horizons Mental Health Center, Kansas Association for the Medically Underserved, National Alliance on Mental Illness, The Center for Counseling and Consultation, and Valeo Behavioral Health Care and by a pharmacist, a psychologist, and several private individuals. The opponents generally expressed concern about the potential delay or lack of access to appropriate behavioral health medications and the impact that would have on patients, hampering the providers' ability to treat their patients adequately. Written testimony in opposition to the bill was provided by representatives of Compass Behavioral Health, Kansas Association of Addiction Professionals, Kansas Association of Counties, Kansas Medical Society, Kansas Psychiatric Society, and Pharmaceutical Research and Manufacturers of America and by several private individuals.

According to the fiscal note prepared by the Division of the Budget, *The FY 2016 Governor's Budget Report* includes savings of \$16.0 million, including \$6.9 million from the State General Fund, which would be realized with passage of the bill. The fiscal note states, if the bill is not enacted, the previously stated amount would have to be added to the budget for FY 2016 and FY 2017.