

SENATE No. 1025

The Commonwealth of Massachusetts

PRESENTED BY:

Scott P. Brown

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act further regulating appeals under the Group Insurance Commission

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Scott P. Brown	Norfolk, Bristol and Middlesex
Mr. Hedlund	Plymouth and Norfolk
Mr. Knapik	Second Hampden and Hampshire
Mr. Tarr	First Essex and Middlesex
Mr. Tisei	Middlesex and Essex
Todd M. Smola	1st Hampden
Christine E. Canavan	10th Plymouth

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01461 OF .]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT FURTHER REGULATING APPEALS UNDER THE GROUP INSURANCE COMMISSION.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority
of the same, as follows:*

1 SECTION 1. Chapter 32A of the General Laws is hereby by amended inserting the
2 following section:- Section 17J. Any person, who is dispensed a non-formulary or non-preferred
3 brand name prescription drug, as determined under a pharmaceutical drug program established
4 by the commission or through a pharmacy benefit manager contracted by the commission, may
5 appeal that determination to the commission; and upon the submission of a statement by the
6 person's physician that, due to a medical necessity, only the non-formulary, or non-preferred
7 brand name prescription drug can be dispensed, the person shall pay for the drug at the same rate
8 required for the formulary or preferred brand name prescription drugs under such pharmaceutical
9 drug program.