

DRUG UTILIZATION REVIEW COMMITTEE

AMENDMENTS

2005 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Rebecca D. Lockhart

Senate Sponsor: Sheldon L. Killpack

LONG TITLE

General Description:

This bill amends the Health Code to require public notice and comment period for hearings held by the Drug Utilization Review Board.

Highlighted Provisions:

This bill:

- ▶ requires 30 days advance public notice of a hearing held by the Drug Utilization Review Board; and
- ▶ requires the board to consider comments submitted by interested parties.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26-18-105, as enacted by Chapter 273, Laws of Utah 1992

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26-18-105** is amended to read:

26-18-105. Drug prior approval program.

Any drug prior approval program approved or implemented by the board shall meet the following conditions:

(1) no drug may be placed on prior approval for other than medical reasons;

(2) the board shall hold a public hearing at least 90 days prior to placing a drug on prior approval;

(3) notwithstanding the provisions of Section 52-4-6, the board shall provide not less than 30 days notice to the public before holding a public hearing under Subsection (2);

(4) the board shall consider written and oral comments submitted by interested parties prior to or during the hearing held in accordance with Subsection (2);

~~[(3)]~~ (5) the board shall provide evidence that placing a drug class on prior approval will not impede quality of recipient care and that the drug class is subject to clinical abuse or misuse;

~~[(4)]~~ (6) no later than nine months after any drug class is placed on prior approval, it shall be reconsidered in a public hearing with notice as provided in Subsection (3);

~~[(5)]~~ (7) the program shall provide either telephone or fax approval or denial at least Monday through Friday, within 24 hours after receipt of the prior approval request;

~~[(6)]~~ (8) the program shall provide for the dispensing of at least a 72-hour supply of the drug in an emergency situation or on weekends;

~~[(7)]~~ (9) the program may not be applied to prevent acceptable medical use for appropriate off-label indications; and

~~[(8)]~~ (10) any drug class placed on prior approval shall receive a majority vote by the board for that placement, after meeting the requirements described in Subsections (1) through ~~[(7)]~~ (10).