

Representative Bradley G. Last proposes the following substitute bill:

HEALTH INSURANCE PRIOR AUTHORIZATION

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Bradley G. Last

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends the Insurance Code related to health insurance and prior authorization forms for prescription drugs.

Highlighted Provisions:

This bill:

► requires a health insurer to use a uniform electronic prior authorization prescription drug form beginning January 1, 2014; and

► requires the Insurance Commissioner to adopt administrative rules in consultation with national and state organizations involved with the standardized exchange of health data, and the electronic exchange of health data, to develop the standard form.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

31A-22-614.7, Utah Code Annotated 1953



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

Section 1. Section **31A-22-614.7** is enacted to read:

31A-22-614.7. Uniform claims processing -- Electronic exchange of prescription drug pre-authorization.

(1) (a) Except as provided in Subsection (1)(b), beginning January 1, 2104, all insurers offering health insurance shall use a uniform electronic prescription drug prior authorization form.

(b) For purposes of Subsection (1)(a), "health insurance" does not include a policy or certificate that provides benefits solely for:

- (i) income replacement; or
- (ii) long-term care.

(2) (a) The uniform electronic prescription drug prior authorization form required in Subsection (1) shall be adopted and approved by the commissioner in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(b) When adopting rules under this section the commissioner:

(i) shall:

(A) consult with national and state organizations involved with the standardized exchange of health data, and the electronic exchange of health data, to develop the standards for the use and electronic exchange of a uniform prescription drug prior authorization form; and

(B) meet federal mandatory minimum standards following the adoption of national requirements for transaction and data elements in the federal Health Insurance Portability and Accountability Act; and

(ii) may not require an insurer or administrator to use a specific software product or vendor.

(c) The commissioner shall regulate any fees charged by insurers to the providers for uniform prescription drug prior authorization forms.