

57 received outside of the department's normal business hours; and

58 (iii) require the health care provider to provide the department with documentation of
59 the medical need for the preferred drug list override in accordance with criteria established by
60 the department in consultation with the Pharmacy and Therapeutics Committee.

61 ~~[(2)(a) For purposes of this Subsection (2), "immunosuppressive drug":]~~

62 ~~[(i) means a drug that is used in immunosuppressive therapy to inhibit or prevent
63 activity of the immune system to aid the body in preventing the rejection of transplanted organs
64 and tissue; and]~~

65 ~~[(ii) does not include drugs used for the treatment of autoimmune disease or diseases
66 that are most likely of autoimmune origin.]~~

67 ~~[(b) A preferred drug list developed under the provisions of this section may not
68 include:(i) a psychotropic or anti-psychotic drug; or (ii) an immunosuppressive drug.]~~

69 ~~[(c) The state Medicaid program shall reimburse for a prescription for an
70 immunosuppressive drug as written by the health care provider for a patient who has undergone
71 an organ transplant. For purposes of Subsection 58-17b-606(4), and with respect to patients
72 who have undergone an organ transplant, the prescription for a particular immunosuppressive
73 drug as written by a health care provider meets the criteria of demonstrating to the Department
74 of Health a medical necessity for dispensing the prescribed immunosuppressive drug.]~~

75 ~~[(d) Notwithstanding the requirements of Part 2, Drug Utilization Review Board, the
76 state Medicaid drug program may not require the use of step therapy for immunosuppressive
77 drugs without the written or oral consent of the health care provider and the patient.]~~

78 (2) (a) For purposes of this Subsection (2):

79 (i) "psychotropic drug" means the following classes of drugs: atypical anti-psychotic,
80 anti-depressants, anti-convulsant/mood stabilizer, anti-anxiety, Attention Deficit Hyperactivity
81 Disorder stimulants, or sedative/hypnotics; and

82 (ii) "stabilized" means a health care provider has documented in the patient's medical
83 chart that a patient has achieved a stable or steadfast medical state within the past 180 days
84 using a particular psychotropic drug.

85 (b) The department shall grant a prior authorization for a psychotropic drug that is not
86 on the preferred drug list for a patient who is stabilized on the drug.

86a §→ (c) ←§ A prior authorization
87 granted under §→ [this subsection] Subsection (2)(b) ←§ is valid for one year from the date the
87a department grants the prior

88 authorization ~~§~~→ , and shall be renewed by the department in accordance with Subsection
 88a (2)(b) ←~~§~~ .

89 (3) The department shall report to the Health and Human Services Interim Committee
 90 and to the Health and Human Services Appropriations Subcommittee prior to November 1,
 91 [~~2010~~] 2013, regarding the savings to the Medicaid program resulting from the use of the
 92 preferred drug list permitted by Subsection (1).

93 Section 2. **Appropriation.**

94 (1) Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act,
 95 the following sums of money are appropriated from resources not otherwise appropriated out of
 96 the funds or accounts indicated for the fiscal year beginning July 1, 2011 and ending June 30,
 97 2012. These are additions to amounts previously appropriated for fiscal year 2012.

98 Item 1 To Department of Human Services - Division of Substance Abuse and Mental Health

99 From General Fund \$615,000

100 Schedule of Programs:

101 Mental Health Centers \$615,000

102 Item 2 To Department of Health - Medicaid Optional Services

103 From General Fund \$200,000

104 Schedule of Programs:

105 Dental Services \$200,000

106 (2) The Legislature intends that the money appropriated for dental services in this bill
 107 be used to restore emergency dental services.