

57 (i) "Immunosuppressive drug":

58 [(†)] (A) means a drug that is used in immunosuppressive therapy to inhibit or prevent  
59 activity of the immune system to aid the body in preventing the rejection of transplanted organs  
60 and tissue; and

61 [(†)] (B) does not include drugs used for the treatment of autoimmune disease or  
62 diseases that are most likely of autoimmune origin.

63 (ii) "Psychotropic drug" means the following classes of drugs: atypical anti-psychotic,  
64 anti-depressants, anti-convulsant/mood stabilizer, anti-anxiety, Attention Deficit Hyperactivity  
65 Disorder stimulants, or sedative/hypnotics.

66 (iii) "Stabilized" means a health care provider has documented in the patient's medical  
67 chart that a patient has achieved a stable or steadfast medical state within the past 90 days using  
68 a particular psychotropic drug.

69 (b) A preferred drug list developed under the provisions of this section may not  
70 include:

71 (i) except as provided in Subsection (2)(e), a psychotropic or anti-psychotic drug; or

72 (ii) an immunosuppressive drug.

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

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

82 (e) ~~§~~ → [(†)] ← ~~§~~ The department may include a sedative hypnotic on a preferred drug list in  
83 accordance with Subsection (2)(f).

84 ~~§~~ → [(ii)] ← ~~§~~ The department may study and develop, but not implement, a preferred drug list for  
85 other psychotropic or anti-psychotic drugs. If the department studies a preferred drug list under  
86 this Subsection (2)(e)(ii), the department shall report to the Legislature in accordance with  
87 Subsection (3). ← ~~§~~

88           (f) The department shall grant a prior authorization for a ~~ψ~~→ [psychotropic drug] sedative  
88a hypnotic ←~~ψ~~ that is not  
89 on the preferred drug list under Subsection (2)(e), if the health care provider has documentation  
90 related to one of the following conditions for the Medicaid client:  
91           (i) a trial and failure of at least one preferred agent in the drug class, including the  
92 name of the preferred drug that was tried, the length of therapy, and the reason for the  
93 discontinuation;  
94           (ii) detailed evidence of a potential drug interaction between current medication and  
95 the preferred drug;  
96           (iii) detailed evidence of a condition or contraindication that prevents the use of the  
97 preferred drug;  
98           (iv) objective clinical evidence that a patient is at high risk of adverse events due to a  
99 therapeutic interchange with a preferred drug;  
100           (v) the patient is a new or previous Medicaid client with an existing diagnosis  
101 previously stabilized with a nonpreferred drug; or  
102           (vi) other valid reasons as determined by the department.  
103           (g) A prior authorization granted under Subsection (2)(f) is valid for one year from the  
104 date the department grants the prior authorization and shall be renewed in accordance with  
105 Subsection (2)(f).  
106           (3) The department shall report to the Health and Human Services Interim Committee  
107 and to the Health and Human Services Appropriations Subcommittee prior to November 1,  
108 [~~2010~~] 2013, regarding the savings to the Medicaid program resulting from the use of the  
109 preferred drug list permitted by Subsection (1).