

**INSURANCE COVERAGE FOR ABUSE DETERRENT OPIOID
ANALGESIC DRUG PRODUCTS**

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jerry W. Stevenson

House Sponsor: _____

LONG TITLE

General Description:

This bill enacts language related to a health benefit plan that covers an opioid analgesic drug product.

Highlighted Provisions:

This bill:

► requires a health benefit plan that covers an opioid analgesic drug product to cover abuse-deterrent opioid analgesic drug products and meet other certain requirements.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

31A-22-644, Utah Code Annotated 1953

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

Section 1. Section **31A-22-644** is enacted to read:

31A-22-644. Insurance coverage for opioid analgesic drug products.

(1) As used in this section:



28 (a) "Abuse-deterrent opioid analgesic drug product" means an opioid analgesic drug
29 product with labeling approved by the United States Food and Drug Administration that
30 indicates that the product has properties that are expected to reduce abuse of the product.

31 (b) "Cost-sharing" means any coverage limit, copayment, coinsurance, deductible, or
32 similar out-of-pocket expense incurred by an insured under a policy or certificate of health
33 insurance.

34 (c) (i) "Health benefit plan" means a contract for health insurance described in Section
35 [31A-22-600](#).

36 (ii) "Health benefit plan" includes a plan offered under Chapter 8, Health Maintenance
37 Organizations and Limited Health Plans.

38 (d) "Lowest cost-sharing level" means the cost-sharing requirements applied to a drug
39 product for which an insured incurs the least amount of out-of-pocket expenses.

40 (e) "Opioid analgesic drug product" means a drug product in the opioid analgesic drug
41 class that is prescribed to treat moderate to severe pain, regardless of whether the drug is
42 combined with other substances in a single product or dosage form.

43 (2) A health benefit plan that provides coverage of opioid analgesic drug products shall
44 provide coverage of abuse-deterrent opioid analgesic drug products.

45 (3) A health benefit plan may not impose:

46 (a) cost-sharing requirements on the coverage of abuse-deterrent opioid analgesic drug
47 products that exceed the lowest cost-sharing level for any other prescription drug covered by
48 the plan; or

49 (b) prior authorization requirements or other utilization control measures to require
50 initial treatment using an opioid analgesic drug product without abuse-deterrent properties
51 before an insured may be prescribed or dispensed an abuse-deterrent opioid analgesic drug
52 product.

53 (4) A health benefit plan may impose on an abuse-deterrent opioid analgesic drug
54 product prior authorization requirements or other utilization control measures only if the same
55 requirements or measures are applied to another opioid analgesic drug product without
56 abuse-deterrent properties.

57 (5) An insurer may not:

58 (a) increase the lowest cost-sharing level imposed on drugs covered by the plan in

59 order to comply with this section; or
60 (b) create a financial disincentive for a prescriber or dispenser to prescribe or dispense
61 an abuse-deterrent opioid analgesic drug product.

Legislative Review Note
as of 2-24-15 12:03 PM

Office of Legislative Research and General Counsel