

**Representative Steve Eliason** proposes the following substitute bill:

**HEALTH BENEFIT AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael S. Kennedy**

House Sponsor: Steve Eliason

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to health benefit plans and prescription drugs.

**Highlighted Provisions:**

This bill:

- ▶ defines terms; and
- ▶ requires health benefit plans to create certain procedures related to prescription drugs.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**31A-22-660**, Utah Code Annotated 1953

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

Section 1. Section **31A-22-660** is enacted to read:

**31A-22-660. Health benefit plan procedures related to prescription drugs.**



26 (1) As used in this section, "long-term drug" means an enrollee's prescription drug  
27 where the prescription has been active for at least 180 days with the health benefit plan.

28 (2) (a) Except as provided in Subsection (2)(b), before a health benefit plan requires an  
29 enrollee to change from a prescribed long-term drug to another drug, the health benefit plan  
30 shall:

31 (i) at least 30 days before the day on which the health benefit plan will require the  
32 enrollee to change from the long-term drug to another drug, provide notice that the health  
33 benefit plan will require the individual to change to another drug; and

34 (ii) provide a justification for the change upon request.

35 (b) Subsection (2)(a) does not apply if:

36 (i) the change requires the individual to try a generic or a biosimilar of the long-term  
37 drug; or

38 (ii) the long-term drug is not on the health benefit plan's formulary.

39 (3) A health benefit plan shall provide an enrollee a justification as to why an enrollee  
40 must try a certain drug before a health benefit plan will cover a different prescribed drug.

41 (4) This section does not apply to a drug that is provided under the health benefit plan's  
42 medical benefit.

43 **Section 2. Effective date.**

44 This bill takes effect on May 1, 2024.