

SECOND REGULAR SESSION

SENATE BILL NO. 812

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS SCHAEFER, CHAPPELLE-NADAL, SCHMITT,
RICHARD, ENGLER, PARSON, MAYER, CURLS, LAMPING,
SCHAAF, KEAVENY AND DEMPSEY.

Read 1st time February 16, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

5850S.011

AN ACT

To amend chapter 338, RSMo, by adding thereto one new section relating to the Missouri electronic prior authorization committee.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 338, RSMo, is amended by adding thereto one new
2 section, to be known as section 338.320, to read as follows:

**338.320. 1. There is hereby established the "Missouri Electronic
2 Prior Authorization Committee" in order to facilitate, monitor, and
3 report to the general assembly on Missouri-based efforts to contribute
4 to the establishment of national electronic prior authorization
5 standards. Such efforts shall include the Missouri-based electronic
6 prior authorization pilot program established under this section and
7 the study and dissemination of information by the committee of the
8 efforts of the National Council on Prescription Drug Programs (NCPDP)
9 to develop national electronic prior authorization standards that shall
10 be promulgated by the appropriate Missouri administrative regulations
11 and effective as soon as practically possible.**

12 **2. In consultation with the department of insurance, financial
13 institutions and professional registration and the Missouri electronic
14 prior authorization committee, a Missouri-based pharmacy benefits
15 manager doing business nationally shall conduct an electronic prior
16 authorization pilot program in Missouri, provided that there are
17 adequate Missouri licensed physicians and an electronic prior
18 authorization vendor capable and willing to participate in a Missouri-
19 based pilot program. Such pilot program established under this section
20 shall be operational by January 1, 2014.**

21 **3. The Missouri electronic prior authorization committee shall**
22 **consist of the following members:**

23 **(1) Two members of the senate, appointed by the president pro**
24 **tempore of the senate;**

25 **(2) Two members of the house of representatives, appointed by**
26 **the speaker of the house of representatives;**

27 **(3) One member from an organization of licensed physicians in**
28 **the state;**

29 **(4) One member who is a physician licensed in Missouri pursuant**
30 **to chapter 334;**

31 **(5) One member who is a Missouri pharmacy benefit management**
32 **company;**

33 **(6) One member from an organization representing licensed**
34 **pharmacists in the state;**

35 **(7) One member from the business community representing**
36 **businesses on health insurance issues;**

37 **(8) One member from an organization representing the leading**
38 **research-based pharmaceutical and biotechnology companies;**

39 **(9) One patient advocate;**

40 **(10) One member from an electronic prescription network that**
41 **facilitates the secure electronic exchange of clinical information**
42 **between physicians, pharmacies, payers, and pharmacy benefit**
43 **managers and other health care providers;**

44 **(11) One member from a Missouri health information technology**
45 **company;**

46 **(12) One member from an organization representing the largest**
47 **number of hospitals in the state;**

48 **(13) One member from a health carrier as such term is defined**
49 **under section 376.1350;**

50 **(14) One member from an organization representing the largest**
51 **number of health carriers in the state, as such term is defined under**
52 **section 376.1350;**

53 **(15) The director of the department of insurance, financial**
54 **institutions and professional registration, who shall be chair of the**
55 **committee.**

56 **4. All of the members, except for the members from the general**
57 **assembly, shall be appointed by the governor no later than September**

58 1, 2012. The staff of the department of insurance, financial institutions
59 and professional registration shall provide assistance to the committee,
60 including with the adoption of the NCPDP national electronic prior
61 authorization standards.

62 5. The duties of the committee shall be as follows:

63 (1) Monitor and report to the general assembly on the Missouri-
64 based electronic prior authorization pilot program created under this
65 section;

66 (2) Obtain specific updates from the NCPDP and other pharmacy
67 benefit managers and vendors that are currently engaged in pilot
68 programs working toward national electronic prior authorization
69 standards;

70 (3) Correspond and collaborate with the NCPDP and other
71 working such pilots through the exchange of information and ideas;

72 (4) Targeting the development of the pilot program created
73 under this section with an understanding of information on the success
74 and failures of other pilot programs across the country;

75 (5) Prepare a report at the end of each calendar year to be
76 distributed to the general assembly and governor with a summary of
77 the committee's progress and plans for the next calendar year. Such
78 annual report shall continue until such time as the NCPDP has
79 established national electronic prior authorization standards;

80 (6) Upon the adoption of national electronic prior authorization
81 standards by the NCPDP, prepare a final report to be distributed to the
82 general assembly and governor that identifies the appropriate Missouri
83 administrative regulations that will need to be promulgated in order
84 to make those standards effective as soon as practically possible, and
85 advise the general assembly and governor if there are any legislative
86 actions necessary to the furtherance of that end.

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