

## Session 121 - (2015-2016)

### H 4504 General Bill, By J.E. Smith, Clyburn and Hosey

**Summary:** Health insurance plans

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-270 SO AS TO PROVIDE A HEALTH INSURANCE PLAN MAY NOT INCREASE A COPAYMENT OR REQUIRE AN INSURED TO PAY AN AMOUNT IN EXCESS OF THE COPAYMENT FOR A SPECIFIC ANTI-EPILEPTIC DRUG PRESCRIBED TO TREAT EPILEPSY IN THE INSURED IF THE PRESCRIBING PRACTITIONER DETERMINES THAT USE OF THAT SPECIFIC DRUG IS NECESSARY FOR THE PATIENT TO MAINTAIN A CONSISTENT THERAPEUTIC LEVEL TO AVOID SEIZURE REOCCURRENCE, REGARDLESS OF WHETHER A PREFERRED OR GENERIC EQUIVALENT IS AVAILABLE AT A LOWER COST, AND TO PROVIDE AN EXPEDITED PROCESS FOR REVIEWING ALLEGED VIOLATIONS; TO AMEND SECTION 39-24-20, RELATING TO DEFINITIONS IN THE DRUG PRODUCT SELECTION ACT OF 1978, SO AS TO DEFINE NECESSARY TERMS; TO AMEND 39-24-30, RELATING TO THE AUTHORIZED SUBSTITUTION OF AN EQUIVALENT PRESCRIPTION DRUG BY A PHARMACIST UNDER THE DRUG PRODUCT SELECTION ACT OF 1978, SO AS TO PROVIDE A PHARMACIST MAY NOT INTERCHANGE AN ANTI-EPILEPTIC DRUG OR FORMULATION OF AN ANTI-EPILEPTIC DRUG, BRAND, OR GENERIC FOR THE TREATMENT OF SEIZURES OR EPILEPSY WITHOUT PRIOR NOTIFICATION OF, AND SIGNED, INFORMED CONSENT TO, THE INTERCHANGE FROM THE PRESCRIBING PRACTITIONER AND THE PATIENT OR THE PARENT, LEGAL GUARDIAN, OR SPOUSE OF THE PATIENT, TO PROVIDE BEFORE SUCH AN INTERCHANGE MAY OCCUR, THE PRESCRIBING PRACTITIONER MUST DETERMINE WHETHER THE INTERCHANGE CAN COMPROMISE THE ABILITY OF THE INSURED TO MAINTAIN A CONSISTENT THERAPEUTIC LEVEL TO AVOID SEIZURE REOCCURRENCE, AND TO PROVIDE THE PRESCRIBING PRACTITIONER MAY NOT CONSENT TO THE INTERCHANGE AND THE PHARMACIST MAY NOT PERFORM THE INTERCHANGE IF THE PRESCRIBING PHYSICIAN DETERMINES SUCH A COMPROMISE CAN OCCUR; AND TO AMEND SECTION 39-24-40, AS AMENDED, RELATING TO FORM, CONTENT, AND MISCELLANEOUS REQUIREMENTS CONCERNING PRESCRIPTIONS, SO AS TO MAKE CONFORMING CHANGES.

**12/03/15 House Prefiled**

**12/03/15 House Referred to Committee on Labor, Commerce and Industry**

**01/12/16 House Introduced and read first time (House Journal-page 84)**

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