

2025 -- S 0786 SUBSTITUTE A

LC002368/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE PRESCRIPTION DRUGS

Introduced By: Senators Bissaillon, Lawson, Murray, DiMario, and Appollonio

Date Introduced: March 14, 2025

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

- 1 SECTION 1. Chapter 40-21 of the General Laws entitled "Medical Assistance —
2 Prescription Drugs" is hereby amended by adding thereto the following section:
- 3 **40-21-4. Prohibition of prior authorization or step therapy protocol.**
- 4 (a) The Rhode Island medical assistance program, as defined under chapter 8 of this title,
5 and any contract between the Rhode Island medical assistance program and a managed care
6 organization shall not require prior authorization or a step therapy protocol for the coverage of a
7 nonpreferred medication classified as an anticonvulsant or antipsychotic on their drug formulary.
- 8 (b) If the secretary of the executive office of health and human services determines that
9 authorization from a federal agency is necessary for the implementation of this section, the
10 secretary is authorized to seek such state plan amendment and may delay implementing the
11 provisions until the authorization is granted.
- 12 (c) The Rhode Island medical assistance program shall require, through amending current
13 and future medical assistance managed care contracts, that the managed care organizations meet
14 the provisions of this section.
- 15 (d) The provisions of subsection (a) of this section does not affect clinical prior
16 authorization edits to prescriptions of medications classified as an anticonvulsant or antipsychotic.
- 17 (e) This section does not prevent the Rhode Island medical assistance program and any
18 contract between the Rhode Island medical assistance program and a managed care organization
19 from denying a medication that has been removed from the market due to safety concerns from the

1 federal Food and Drug Administration.

2 (f) For the purposes of this section, "step therapy protocol" means a protocol that
3 establishes a specific sequence in which prescription medications for a specified medical condition
4 are medically necessary for a particular enrollee and are covered under a pharmacy or medical
5 benefit by the Rhode Island medical assistance program or a managed care organization, including
6 self-administered and physician-administered drugs.

7 (g) On or before July 1, 2027, the Rhode Island medical assistance program and any
8 managed care organization who has a contract with the Rhode Island medical assistance program
9 shall collect and provide to the executive office of health and human services, in a form and
10 frequency acceptable to the secretary, a report that includes the following data for the years 2020-
11 2027:

12 (1) For anticonvulsants and antipsychotics;

13 (i) The annual gross amount spent;

14 (ii) The annual net amount spent after rebates;

15 (iv) The average annual cost by class for generic and non-generic anticonvulsant and
16 antipsychotic medications;

17 (v) The total number of anticonvulsant and antipsychotic medication claims;

18 (vi) The percentage of adherence to the preferred drug list ("PDL") for anticonvulsant and
19 antipsychotic medications;

20 (vii) The total number of prior authorizations submitted for nonpreferred anticonvulsant
21 and antipsychotic medications;

22 (viii) the total number of step therapy exceptions requested for nonpreferred anticonvulsant
23 and antipsychotic medications;

24 (ix) the total number of step edits per nonpreferred anticonvulsant and antipsychotic
25 medication;

26 (x) The percentages of prior authorization and step therapy approvals and denials; and

27 (xi) The generic anticonvulsant and generic antipsychotic medication utilization
28 percentages.

29 (h) On or before July 1, 2027, the director of the department of health shall collect and
30 provide to the executive office of health and human services, in a form and frequency acceptable
31 to the secretary, a report that includes the following data for the years 2020-2027 from the state and
32 from each of the thirty-nine (39) municipalities:

33 (1) Gross amount, non-aggregated by entity type, spent on services and personnel related
34 to mental health emergencies performed by the following entities:

- 1 (i) Ground ambulance transport;
2 (ii) Air ambulance transport;
3 (iii) Hospitals, including inpatient and emergency departments;
4 (iv) Police departments; and
5 (v) Fire departments.
6 (i) On or before October 1, 2027, the executive office of health and human services shall
7 produce and provide the information collected pursuant subsections (g) and (h) of this section to
8 the speaker of the house of representatives, the president of the senate, the house of representatives
9 committee on finance, and the senate committee on health and human services.
10 (j) The provisions of this section shall sunset and be repealed effective December 31, 2028.

11 SECTION 2. This act will take effect upon passage and would apply to all policies,
12 contracts, and plans executed, delivered, issued for delivery, continued or renewed in this state on
13 or after January 1, 2026 and shall sunset and be repealed effective December 31, 2028.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE PRESCRIPTION DRUGS

1 This act would define step therapy protocol and prohibit the Rhode Island medical
2 assistance program, and any contract between the Rhode Island medical assistance program and a
3 managed care organization from requiring prior authorization or a step therapy protocol for the
4 coverage of a nonpreferred medication classified as an anticonvulsant or antipsychotic.

5 This act would take effect upon passage and would apply to all policies, contracts, and
6 plans executed, delivered, issued for delivery, continued or renewed in this state on or after January
7 1, 2026 and shall sunset and be repealed effective December 31, 2028.

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