

**2012 -- S 3045 SUBSTITUTE A**

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LC02780/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2012**

**SENATE RESOLUTION**

**CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY PATIENT ACCESS TO  
MEDICALLY NECESSARY MENTAL HEALTH PRESCRIPTION DRUGS**

Introduced By: Senators Felag, McCaffrey, Ruggerio, Gallo, and Walaska

Date Introduced: June 05, 2012

Referred To: Senate Health & Human Services

1           RESOLVED, That a special legislative commission be and the same is hereby created  
2 consisting of seven (7) members: three (3) of whom shall be members of the Senate, not more  
3 than two (2) of whom shall be from the same political party, to be appointed by the President of  
4 the Senate; one of whom shall be a representative of the Rhode Island Council of Community  
5 Mental Health Organizations, to be appointed by the President of the Senate; one of whom shall  
6 be a representative of the Rhode Island Medical Society, to be appointed by the President of the  
7 Senate; one of whom shall be a pharmacist licensed to practice in the State of Rhode Island, to be  
8 appointed by the President of the Senate; and one of whom shall be a representative of the health  
9 insurance industry, to be appointed by the President of the Senate.

10           In lieu of any appointment of a member of the legislature to a permanent advisory  
11 commission, a legislative study commission, or any commission created by a General Assembly  
12 resolution, the appointing authority may appoint a member of the general public to serve in lieu  
13 of a legislator, provided that the majority leader or the minority leader of the political party which  
14 is entitled to the appointment consents to the member of the general public.

15           The purpose of said commission shall be to make a comprehensive study and develop  
16 recommendations regarding current Rhode Island law relating to health insurer drug formulary  
17 exception criteria and the process by which a health insurer is required to cover a non-formulary  
18 medication deemed medically necessary by a physician or other person authorized to prescribe  
19 medication. The commission study shall include, but not be limited to, consideration of requiring

1 health insurers to provide coverage for a non-formulary medication, regardless of whether said  
2 medication meets the nonprofit medical service corporation's medical exception criteria, if the  
3 medication has been prescribed as treatment for a mental disorder, including schizophrenia, as  
4 defined by the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders  
5 (DSM) published by the American Psychiatric Association.

6           Forthwith upon passage of this resolution, the members of the commission shall meet at  
7 the call of the President of the Senate and organize and shall select a chairperson from amongst  
8 the legislators.

9           Vacancies in said commission shall be filled in like manner as the original appointment.

10           The membership of said commission shall receive no compensation for their services.

11           All departments and agencies of the state shall furnish such advice and information,  
12 documentary and otherwise, to said commission and its agents as is deemed necessary or  
13 desirable by the commission to facilitate the purposes of this resolution.

14           The Joint Committee on Legislative Services is hereby authorized and directed to provide  
15 suitable quarters for said commission; and be it further

16           RESOLVED, That the commission shall report its findings and recommendations to the  
17 Senate no later than March 5, 2013, and said commission shall expire on May 31, 2013.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
SENATE RESOLUTION  
CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY PATIENT ACCESS TO  
MEDICALLY NECESSARY MENTAL HEALTH PRESCRIPTION DRUGS

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- 1           This act resolution would create a seven (7) member special legislative study commission
- 2 whose purpose it would be to study patient access to medically necessary mental health
- 3 prescription drugs, and who would report back to the Senate no later than March 5, 2013, and
- 4 whose life would expire on May 31, 2013.

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