HOUSE DOCKET, NO. 381 FILED ON: 1/14/2011

HOUSE . . . . . No. 681

The Commonwealth of Massachusetts

PRESENTED BY:

Viriato Manuel deMacedo

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act Regulating Appeals under the Group Insurance Commission..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Viriato Manuel deMacedo	*1st Plymouth*
Sheila C. Harrington	*1st Middlesex*

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By Mr. deMacedo of Plymouth, a petition (accompanied by bill, House, No. 681) of Viriato Manuel deMacedo and Sheila C. Harrington regulating appeals under the group insurance commission. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *2351* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act Regulating Appeals under the Group Insurance Commission..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 32A of the General Laws is hereby by amended, at the end thereof, the following new section:-

Section 17K. Any person who is dispensed a non-formulary or non-preferred brand name prescription drug, as determined under a pharmaceutical drug program established by the commission or through a pharmacy benefit manager contracted by the commission, may appeal that determination to the commission, and upon the submission of a statement by the person's physician that, due to a medical necessity, only the non-formulary or non-preferred brand name prescription drug can be dispensed, the person shall pay for the drug at the same rate required for the formulary or preferred brand name prescription drugs under such pharmaceutical drug program.