

By: Representatives Hines, Nelson

To: Insurance

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1527

1 AN ACT TO PROHIBIT HEALTH BENEFIT PLANS, PHARMACY BENEFIT  
2 MANAGERS AND PRIVATE REVIEW AGENTS FROM SUBJECTING DRUGS  
3 PRESCRIBED FOR THE TREATMENT OR PREVENTION OF HIV OR AIDS TO A  
4 PRIOR AUTHORIZATION REQUIREMENT, STEP THERAPY, OR ANY OTHER  
5 PROTOCOL THAT COULD RESTRICT OR DELAY THE DISPENSING OF THE DRUG;  
6 AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** (1) As used in this section, the following terms  
9 shall be defined as provided in this subsection:

10 (a) "Health benefit plan" means services consisting of  
11 medical care, provided directly, through insurance or  
12 reimbursement, or otherwise, and including items and services paid  
13 for as medical care under any hospital or medical service policy  
14 or certificate, hospital or medical service plan contract,  
15 preferred provider organization, or health maintenance  
16 organization contract offered by a health insurance issuer. The  
17 term "health benefit plan" includes the Medicaid fee-for-service  
18 program and any managed care program, coordinated care program,  
19 coordinated care organization program, health maintenance



20 organization program or such other programs implemented by the  
21 Division of Medicaid under Section 43-13-117(H).

22 (b) "Pharmacy benefit manager" has the meaning as  
23 defined in Section 73-21-179.

24 (c) "Private review agent" has the meaning as defined  
25 in Section 41-83-1.

26 (2) A health benefit plan, pharmacy benefit manager or  
27 private review agent shall not restrict access to antiretroviral  
28 drugs including, but not limited to, long-acting injectable  
29 FDA-approved antiretroviral drugs prescribed for the treatment or  
30 prevention of the human immunodeficiency virus (HIV) or acquired  
31 immunodeficiency syndrome (AIDS), on the basis of being "not  
32 medically necessary," and shall include at least one (1)  
33 long-acting injectable antiretroviral medication in its formulary  
34 that may or may not require prior authorization.

35 **SECTION 2.** This act shall take effect and be in force from  
36 and after July 1, 2024.

