By: Representatives Hines, Nelson

To: Insurance

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1527

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

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

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

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

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

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

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

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

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