

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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HOUSE BILL 233

Short Title: Medicaid Prior Approval/Presc. Drugs. (Public)

Sponsors: Representative Miller.

Referred to: Ways and Means.

March 5, 2003

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO IMPOSE UNDER THE MEDICAID PROGRAM PRIOR AUTHORIZATION RESTRICTIONS ON ALL BRAND-NAME PRESCRIPTION DRUGS FOR WHICH THERE IS A GENERIC EQUIVALENT THAT IS LESS COSTLY THAN THE BRAND-NAME DRUG.

The General Assembly of North Carolina enacts:

**SECTION 1.** Part 6 of Article 2 of Chapter 108A of the General Statutes is amended by adding the following new section to read:

**"§ 108A-68.1. Prescription drug prior authorization requirements.**

The Department of Health and Human Services, Division of Medical Assistance, shall apply prior authorization requirements to any prescribed brand-name prescription drug for which there is a generic equivalent that is less costly than the brand-name drug. Nothing in this section prohibits the Department from imposing prior authorization requirements on prescribed brand-name prescription drugs for which there is no generic equivalent."

**SECTION 2.** This act becomes effective July 1, 2003.