

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

HOUSE BILL 1736

By: Townley

AS INTRODUCED

An Act relating to step therapy protocol; providing for exceptions to step therapy protocol; providing for codification; and providing for an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7330 of Title 63, unless there is created a duplication in numbering, reads as follows:

No health benefit plan, health maintenance organization, preferred provider organization, or other provider network authorized to administer health care coverage in this state shall require treatment following step therapy protocol when any of the following exceptions are present:

1. Any treatments otherwise required under the protocol have not been shown to be as effective as other available options in the treatment of the disease or condition of the participant or

1 beneficiary, when prescribed consistent with clinical directions,  
2 clinical guidelines, or other peer-reviewed evidence;

3 2. Delay of proven effective treatment would lead to severe or  
4 irreversible consequences, and the treatment initially required  
5 under the protocol is reasonably expected to be less effective  
6 based upon the documented physical or mental characteristics of the  
7 participant or beneficiary and the known characteristics of such  
8 treatment;

9 3. Any treatments otherwise required under the protocol are  
10 contraindicated for the participant or beneficiary or have caused,  
11 or are likely to cause, based on clinical, peer-reviewed evidence,  
12 an adverse reaction or other physical harm to the participant or  
13 beneficiary;

14 4. Any treatment otherwise required under the protocol has  
15 prevented, will prevent, or is likely to prevent a participant or  
16 beneficiary from achieving or maintaining reasonable and safe  
17 functional ability in performing occupational responsibilities or  
18 activities of daily living as defined in 42 CFR, Section 441.505, or  
19 successor regulations;

20 5. The participant or beneficiary is stable for his or her  
21 disease or condition on the prescription drug or drugs selected by  
22 the prescribing health care provider and has previously received  
23 approval for coverage of the relevant drug or drugs for the disease  
24 or condition; or

1           6. The patient and devices require frequent and substantial  
2 services.

3           SECTION 2. This act shall become effective November 1, 2023.  
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