

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2748

By: Miller

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5
6 AS INTRODUCED

7 An Act relating to public health and safety;
8 prohibiting step therapy requirements for certain
9 drugs for certain conditions; providing definitions;
10 authorizing a health benefit plan to allow coverage
11 for prescription drugs for advanced metastatic cancer
12 and associated conditions without proving step
13 therapy; and providing an effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 7320 of Title 63, unless there
17 is created a duplication in numbering, reads as follows:

18 For the purpose of prohibiting step therapy requirements for
19 certain prescription drugs to treat advanced metastatic cancer and
20 associated conditions.

21 As used in this section:

22 1. "Associated conditions" means the symptoms or side effects
23 associated with advanced metastatic cancer or its treatment and
24 which, in the judgment of the health care practitioner, will further
jeopardize the health of a patient if left untreated;

1 2. "Advanced metastatic cancer" means cancer that has spread
2 from the primary or original site of the cancer to nearby tissues,
3 lymph nodes, or other areas or parts of the body.

4 SECTION 2. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 7321 of Title 63, unless there
6 is created a duplication in numbering, reads as follows:

7 A. A health benefit plan that provides coverage for advanced
8 metastatic cancer and associated conditions may not require, before
9 the health benefit plan provides coverage of a prescription drug
10 approved by the United States Food and Drug Administration, that the
11 enrollee:

- 12 1. Fails to successfully respond to a different drug; or
- 13 2. Proves a history of failure of a different drug.

14 B. This section applies only to a drug, the use of which is:

- 15 1. Consistent with best practices for the treatment of advanced
16 metastatic cancer or an associated condition;
- 17 2. Supported by peer-reviewed, evidence-based literature; and
- 18 3. Approved by the United States Food and Drug Administration.

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

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21 59-1-5886 TJ 01/13/23

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