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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE -- PRESCRIPTION
DRUGS

Introduced By: Representatives Casey, Potter, Donovan, Speakman, McGaw, Kazarian,
Dawson, Chippendale, Serpa, and Cortvriend

Date Introduced: February 05, 2025

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 40-21 of the General Laws entitled "Medical Assistance —
2 Prescription Drugs" is hereby amended by adding thereto the following section:

3 **40-21-4. Prohibition of prior authorization or step therapy protocol.**

4 (a) The Rhode Island medical assistance program, as defined by this chapter, and any
5 contract between the Rhode Island medical assistance program, as defined under chapter 8 of title
6 40, and a managed care organization shall not require prior authorization or a step therapy protocol
7 for the prescription of a nonpreferred medication classified as an anticonvulsant or antipsychotic
8 on their drug formulary.

9 (b) If the secretary of health and human services determines that authorization from a
10 federal agency is necessary for the implementation of this section, the executive office of health
11 and human services is authorized to seek such state plan amendment and may delay implementing
12 the provisions until the authorization is granted.

13 (c) The Rhode Island medical assistance program, as defined under chapter 8 of title 40,
14 shall require, through amending current and future medical assistance managed care contracts, that
15 the managed care organizations meet the provisions of this section.

16 (d) The provisions of subsection (a) of this section do not affect clinical prior authorization
17 edits to prescriptions of medications classified as an anticonvulsant or antipsychotic.

18 (e) This section does not prevent the Rhode Island medical assistance program, as defined

1 under chapter 8 of title 40, and any contract between the Rhode Island medical assistance program
2 and a managed care organization from denying an exception for a medication that has been removed
3 from the market due to safety concerns from the federal Food and Drug Administration.

4 (f) For the purposes of this section, "step therapy protocol" means a protocol that
5 establishes a specific sequence in which prescription medications for a specified medical condition
6 are medically necessary for a particular enrollee and are covered under a pharmacy or medical
7 benefit by a carrier, including self-administered and physician-administered drugs.

8 SECTION 2. This act shall take effect upon passage and applies to all healthcare policies,
9 contracts, plans, and certificates executed, delivered, issued for delivery, continued or renewed in
10 this state on or after January 1, 2026.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE -- PRESCRIPTION
DRUGS

1 This act would define step therapy protocol and prohibit the Rhode Island medical
2 assistance program, and any contract between the Rhode Island medical assistance program and a
3 managed care organization from requiring prior authorization or a step therapy protocol for the
4 prescription of a nonpreferred medication classified as an anticonvulsant or antipsychotic.

5 This act would take effect upon passage and would apply to all policies, contracts, and
6 plans executed, delivered, issued for delivery, continued or renewed in this state on or after January
7 1, 2026.

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