

Sixty-sixth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2243

Introduced by

Senators J. Lee, Anderson, Kreun

Representatives Beadle, M. Johnson

1 A BILL for an Act to amend and reenact subsection 3 of section 50-24.6-04 of the North Dakota
2 Century Code, relating to prior authorization for medical assistance.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 3 of section 50-24.6-04 of the North Dakota
5 Century Code is amended and reenacted as follows:

6 3. a. For individuals twenty-one years of age and older, except for quantity limits that
7 may be no less than the pharmaceutical manufacturer's package insert, brand
8 name drugs with a generic equivalent drug for which the cost to the state
9 postrebate is less than the brand name drugs, in the aggregate, or generic drugs
10 with a brand name equivalent drug for which the cost to the state postrebate is
11 less than the generic drug, the department may not prior authorize the following
12 medication classes:

13 (1) Antipsychotics;

14 (2) Antidepressants;

15 (3) Anticonvulsants;

16 (4) Antiretrovirals, for the treatment of human immunodeficiency virus; and

17 (5) Antineoplastic agents, for the treatment of cancer; ~~and~~

18 ~~(6) Stimulant medication used for the treatment of attention deficit disorder and~~
19 ~~attention deficit hyperactivity disorder.~~

20 b. For individuals under twenty-one years of age, except for quantity limits that may
21 be no less than the pharmaceutical manufacturer's package insert, brand name
22 drugs with a generic equivalent drug for which the cost to the state postrebate is
23 less than the brand name drugs, in the aggregate, or generic drugs with a brand
24 name equivalent drug for which the cost to the state postrebate is less than the

1 generic drug, the department may not prior authorize the following medication
2 classes:

3 (1) Antipsychotics;

4 (2) Antidepressants;

5 (3)(2) Anticonvulsants;

6 (4)(3) Antiretrovirals, for the treatment of human immunodeficiency virus;

7 (5)(4) Antineoplastic agents, for the treatment of cancer; and

8 (6)(5) Stimulant medication used for the treatment of attention deficit hyperactivity
9 disorder.

10 c. The restrictions of subdivision b do not apply for individuals under twenty-one
11 years of age, who have five or more concurrent prescriptions for psychotropic
12 medications.

13 d. Prior authorization for individuals under twenty-one years of age is required for
14 five or more concurrent prescriptions for antipsychotics, antidepressants,
15 anticonvulsants, benzodiazepines, mood stabilizers, sedative, hypnotics, or
16 medications used for the treatment of attention deficit hyperactivity disorder. The
17 department shall grant authorization to exceed the limits after a prescriber
18 requesting authorization consults with a board certified pediatric psychiatrist
19 approved by the department.