

SENATE, No. 1775

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator FRED H. MADDEN, JR.

District 4 (Camden and Gloucester)

SYNOPSIS

Requires Medicaid preferred drug lists to provide for coverage of buprenorphine for treatment of chronic pain.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning Medicaid preferred drug lists and
2 supplementing Title 30 of the Revised Statutes.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. Notwithstanding any law, rule, or regulation to the contrary,
8 a preferred drug list, drug formulary, or other authorized list of
9 covered drugs implemented by the Division of Medical Assistance
10 and Human Services within the Department of Human Services for
11 the provision of pharmacy services under Medicaid or by a
12 managed care organization contracted with the division to provide
13 Medicaid pharmacy services shall provide for the coverage of
14 buprenorphine for the treatment of chronic pain, without the
15 imposition of any step therapy requirement, provided that the
16 buprenorphine is prescribed by a licensed medical practitioner who
17 is authorized to prescribe that drug pursuant to State and federal
18 law.

19 As used in this section:

20 "Chronic pain" means pain that persists or recurs for more than
21 three months.

22 "Medicaid" means the Medicaid program established pursuant to
23 P.L.1968, c.413 (C.30:4D-1 et seq.).

24 "Step therapy requirement" means a requirement within a
25 preferred drug list, drug formulary, or other authorized list of
26 covered drugs for a beneficiary to use one drug before benefits for
27 the use of another drug can be authorized.

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29 2. The Commissioner of Human Services shall apply for such
30 State plan amendments or waivers as may be necessary to implement
31 the provisions of this act and to secure federal financial participation
32 for State Medicaid expenditures under the federal Medicaid program.

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34 3. The Commissioner of Human Services, pursuant to the
35 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
36 seq.), shall adopt rules and regulations necessary to implement the
37 provisions of this act.

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39 4. This act shall take effect immediately and apply to any
40 contract between a managed care organization and the Division of
41 Medical Assistance and Health Services to provide Medicaid
42 pharmacy services which has been entered into or renewed after the
43 effective date of this act.

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46 STATEMENT

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48 This bill requires preferred drug lists under the Medicaid
49 program, established pursuant to P.L.1968, c.413 (C.30:4D-
50 1 et seq.), to provide for coverage of buprenorphine for treatment of

1 chronic pain. Specifically, under the bill, a preferred drug list, drug
2 formulary, or other authorized list of covered drugs implemented by
3 the Division of Medical Assistance and Human Services within the
4 Department of Human Services for the provision of pharmacy
5 services under the Medicaid program or by a managed care
6 organization contracted with the division to provide pharmacy
7 services under the Medicaid program shall provide for the coverage
8 of buprenorphine for the treatment of chronic pain, without the
9 imposition of any step therapy requirement, provided that the
10 buprenorphine is prescribed by a licensed medical practitioner who
11 is authorized to prescribe that drug pursuant to State and federal
12 law. The bill defines “chronic pain” as pain that persists or recurs
13 for more than three months, and “step therapy requirement” as a
14 requirement within a preferred drug list, drug formulary, or other
15 authorized list of covered drugs for a beneficiary to use one drug
16 before benefits for the use of another drug can be authorized.