

House Bill 1473

By: Representatives Greene of the 134th, Orrock of the 51st, and Houston of the 139th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated,
2 known as the "Georgia Medical Assistance Act of 1977," so as to provide for a statement of
3 purpose; to prohibit the Department of Community Health from imposing prior authorization
4 requirements or other restrictions under the Medicaid program on certain medications
5 prescribed for medicaid recipients; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, known as the
9 "Georgia Medical Assistance Act of 1977," is amended by adding a new Code Section
10 49-4-146.4 to read as follows:

11 "49-4-146.4.

12 (a) The General Assembly recognizes that the pharmaceutical treatments needed by
13 patients diagnosed with mental disorders or HIV/AIDS must be protected in order to
14 preserve the dignity and proper care of the patient and that access to lifesaving medications
15 prevents additional costs to society and Georgia's health care system. Many research and
16 clinical studies have demonstrated that prompt and continued access to pharmaceutical
17 treatments allows patients suffering from mental illness or HIV/AIDS to return to the work
18 force, reestablish community relationships, and contribute positively on personal and
19 economic levels to society. Due to the uniqueness of each person and the complexity of
20 treating mental illness and HIV/AIDS, it is imperative that patients have access to the
21 widest range of pharmaceutical treatments. Patients' unique disease characteristics and the
22 clinical efficacy of drugs should be the primary factors considered by providers when
23 selecting pharmaceutical agents to treat mental health disorders and HIV/AIDS.

24 (b) The Department of Community Health shall not impose prior authorization
25 requirements or other restrictions under the Medicaid program on medications prescribed
26 for Medicaid recipients for:

- 1 (1) The treatment of mental illness, including, but not limited to, medications for
2 schizophrenia, bipolar disorder, or major depressive disorder; or
3 (2) The treatment and prevention of HIV and AIDS."

4 **SECTION 2.**

5 All laws and parts of laws in conflict with this Act are repealed.