

Senate Bill 539

By: Senators Stokes of the 43rd, Jackson of the 50th, Henson of the 41st and Butler of the 55th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 5 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated,
2 relating to prescription drugs, so as to prohibit the requirement of prior authorization or other
3 restrictions on medications prescribed for patients receiving treatment for certain medical
4 conditions under a Medicaid or any state funded health care program; to amend Article 1 of
5 Chapter 3 of Title 37 of the Official Code of Georgia Annotated, relating to general
6 provisions related to examination and treatment for mental illness, so as to prohibit the use
7 of prior authorization or other restrictions on medications prescribed for patients receiving
8 treatment for certain mental illnesses under a Medicaid or any state funded health care
9 program; to provide for related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 5 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to
13 prescription drugs, is amended by adding at its end a new Code section to read as follows:

14 "26-4-91.

15 No requirement for prior authorization or other restrictions may be imposed on medications
16 prescribed for patients enrolled in a Medicaid or any state funded health care program who
17 are receiving treatment for cardiovascular disease, diabetes, HIV/acquired immune
18 deficiency syndrome, or cancer."

19 **SECTION 2.**

20 Article 1 of Chapter 3 of Title 37 of the Official Code of Georgia Annotated, relating to
21 general provisions related to examination and treatment for mental illness, is amended by
22 adding at its end a new Code section to read as follows:

23 "37-3-9.

24 No requirement for prior authorization or other restrictions may be imposed on medications
25 including, but not limited to, atypical antipsychotic medications, conventional

1 antipsychotic medications, selective serotonin reuptake inhibitors, and selective
2 norepinephrine reuptake inhibitors, prescribed for patients enrolled in a Medicaid or any
3 state funded health care program who are receiving treatment for mental illnesses that are
4 listed in a current national diagnostic and statistical manual of mental disorders published
5 by a national psychiatric association including, but not limited to, schizophrenia, severe
6 clinical depression, bipolar disorder, or attention deficit hyperactivity disorder."

7 **SECTION 3.**

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