

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 661

Introduced by Gay, 14.

Read first time January 21, 2009

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to the Medicaid Prescription Drug Act; to amend
2 section 68-954, Revised Statutes Cumulative Supplement,
3 2008; to change provisions relating to a preferred drug
4 list; and to repeal the original section.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 68-954, Revised Statutes Cumulative
2 Supplement, 2008, is amended to read:

3 68-954 (1) The department and the pharmaceutical and
4 therapeutics committee shall consider all therapeutic classes of
5 prescription drugs for inclusion on the preferred drug list,
6 ~~except that antidepressant, antipsychotic, and anticonvulsant~~
7 ~~prescription drugs shall not be subject to consideration for~~
8 ~~inclusion on the preferred drug list.~~

9 (2)(a) The department shall include a prescription
10 drug on the preferred drug list if the prescription drug is
11 therapeutically equivalent to or superior to a prescription drug on
12 the list and the net cost of the new prescription drug is equal to
13 or less than the net cost of the listed drug, after consideration
14 of applicable rebates or discounts negotiated by the department.

15 (b) If the department finds that two or more prescription
16 drugs under consideration for inclusion on the preferred drug list
17 are therapeutically equivalent, the department shall include the
18 more cost-effective prescription drug or drugs on the preferred
19 drug list, after consideration of applicable rebates or discounts
20 negotiated by the department.

21 (3) The department shall maintain an updated preferred
22 drug list in electronic format and shall make the list available to
23 the public on the department's Internet web site.

24 Sec. 2. Original section 68-954, Revised Statutes
25 Cumulative Supplement, 2008, is repealed.