LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 466

Introduced by Gloor, 35; Howard, 9; at the request of the Governor.

Read first time January 14, 2011

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to the Medicaid Prescription Drug Act; to amend

2   section 68-954, Reissue Revised Statutes of Nebraska; to

3   change provisions relating to a preferred drug list; and

4   to repeal the original section.

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

1   Section 1. Section 68-954, Reissue Revised Statutes of

2   Nebraska, 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. , except

6   that antidepressant, antipsychotic, and anticonvulsant prescription

7   drugs shall not be subject to consideration for inclusion on the

8   preferred drug list.

9   (2)(a) The department shall include a prescription drug

10 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 or

13 less than the net cost of the listed drug, after consideration of

14 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 more

18 cost-effective prescription drug or drugs on the preferred drug list,

19 after consideration of applicable rebates or discounts negotiated by

20 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, Reissue Revised Statutes

25 of Nebraska, is repealed.