

1 AN ACT relating to utilization controls for nonopioid analgesics in the Medicaid
2 program.

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 205 IS CREATED TO
5 READ AS FOLLOWS:

6 *The Department for Medicaid Services, any managed care organization with whom the*
7 *department contracts for the delivery of Medicaid services, and the state pharmacy*
8 *benefit manager contracted by the department pursuant to KRS 205.5512 shall not:*

9 *(1) Deny coverage of a nonopioid prescription drug in favor of an opioid prescription*
10 *drug when a licensed physician has prescribed a nonopioid medication for the*
11 *treatment of chronic or acute pain; or*

12 *(2) Establish more restrictive or more extensive utilization controls, including but not*
13 *limited to more restrictive or more extensive prior authorization or step therapy*
14 *requirements, for clinically appropriate nonopioid drugs than the least restrictive*
15 *or extensive utilization controls applicable to any clinically appropriate opioid or*
16 *narcotic drug.*