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H.603

Introduced by Representatives Till of Jericho, Copeland-Hanzas of Bradford,
Dakin of Chester, Eckhardt of Chittenden, Fisher of Lincoln,
Komline of Dorset, O'Brien of Richmond, Pearson of
Burlington, Spengler of Colchester and Woodward of Johnson

Referred to Committee on

Date:

Subject: Health; health insurance; prior authorization; common forms

Statement of purpose: This bill proposes to require health insurers and health
care providers to use uniform prior authorization request forms for prescription
drugs, medical procedures, and medical tests.

An act relating to uniform prior authorization request forms

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 18 V.S.A. § 9418b is amended to read:

§ 9418b. PRIOR AUTHORIZATION

* * *

(g)(1) Notwithstanding any provision of law to the contrary, on and after
January 1, 2014, a health plan shall accept only the uniform prior authorization
forms developed pursuant to subdivision (3) of this subsection when requiring
prior authorization of prescription drugs, medical procedures, and medical

1 tests. If a health plan fails to utilize or accept a uniform prior authorization
2 form, or fails to respond within two business days of receipt of a completed
3 prior authorization request from a prescribing health care provider, the prior
4 authorization request shall be deemed to have been granted.

5 (2) No later than March 1, 2013, the department of banking, insurance,
6 securities, and health care administration shall develop two uniform prior
7 authorization forms. One form shall be used for prior authorization requests
8 for prescription drugs, and one form shall be used for prior authorization
9 requests for medical procedures and medical tests. Notwithstanding any
10 provision of law to the contrary, beginning January 1, 2014, each prescribing
11 health care provider licensed to practice in Vermont shall use the applicable
12 uniform prior authorization forms to request prior authorization for coverage of
13 prescription drugs, medical procedures, and medical tests, and each health plan
14 licensed to do business in Vermont shall accept the uniform prior authorization
15 forms as sufficient to request prior authorization for the applicable benefits.

16 (3) Each uniform prior authorization form developed pursuant to
17 subdivision (2) of this subsection shall meet the following criteria:

18 (A) The form shall not exceed two pages.

19 (B) The form shall be made available electronically by the
20 department and by the health plan.

1 (C) The completed form may be submitted electronically from the
2 prescribing health care provider to the health plan.

3 (D) The department shall develop the form with input from interested
4 parties from at least one public meeting.

5 (E) In developing the uniform prior authorization form, the
6 department shall take into consideration the following:

7 (i) existing prior authorization forms established by the federal
8 Centers for Medicare and Medicaid Services, by the department of Vermont
9 health access, and by insurance and Medicaid departments and agencies in
10 other states; and

11 (ii) national standards related to electronic prior authorization.

12 Sec. 2. EFFECTIVE DATE

13 This act shall take effect on July 1, 2012.