

1 H.687

2 Introduced by Representatives Zagar of Barnard and Buxton of Tunbridge

3 Referred to Committee on

4 Date:

5 Subject: Health; health insurance; Medicaid; Vermont Prescription Monitoring

6 System; opioids; pain management; substance abuse treatment

7 Statement of purpose of bill as introduced: This bill proposes to require the
8 Department of Health to provide quarterly reports to prescribers registered
9 with the Vermont Prescription Monitoring System on their prescribing
10 practices. The bill would require a patient to see a pain management specialist
11 if he or she has been using an opioid for pain for one month or more. The bill
12 would also require prior authorization from a patient's health insurance plan or
13 Medicaid for coverage of an opioid in excess of 30 days.

14 An act relating to miscellaneous provisions to combat opioid abuse

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

16 Sec. 1. 8 V.S.A. § 4089i is amended to read:

17 § 4089i. PRESCRIPTION DRUG COVERAGE

18 * * *

19 (g) A health insurance or other health benefit plan offered by a health
20 insurer shall require prior authorization for coverage of an opioid controlled

1 substance after the patient has already been prescribed a quantity appropriate
2 for a period of 30 days, including refills. Prior authorization shall be granted
3 only upon demonstration by the prescriber of medical necessity or medical
4 appropriateness, or both.

5 (h) As used in this section:

6 * * *

7 ~~(h)~~(i) The Department of Financial Regulation shall enforce this section
8 and may adopt rules as necessary to carry out the purposes of this section.

9 Sec. 2. 18 V.S.A. § 4289 is amended to read:

10 § 4289. STANDARDS AND GUIDELINES FOR HEALTH CARE

11 PROVIDERS AND DISPENSERS

12 * * *

13 (h) On a quarterly basis, the Department of Health shall provide each
14 registered prescriber with a report on his or her prescribing history over the
15 previous three months as compared to other prescribers in the same region with
16 the same licensure and scope of practice. The quarterly report shall include
17 information about the type of controlled substances prescribed, the amount
18 prescribed, the number of refills authorized, and the number of unique patients
19 receiving a prescription for a controlled substance for each prescriber. Data
20 provided in this quarterly report shall contain aggregated totals and no
21 personally identifying information.

1 Sec. 3. 18 V.S.A. § 4753 is added to read:

2 § 4753. LONG-TERM OPIOID USE; PAIN MANAGEMENT SPECIALIST

3 A health care provider shall not prescribe an opioid to a patient for the
4 management of his or her pain if the patient has been using opioids for a month
5 or longer, unless the patient has been seen by and can provide proof of his or
6 her appointment with a pain management specialist.

7 Sec. 4. 33 V.S.A. § 1999 is amended to read:

8 § 1999. CONSUMER PROTECTION RULES; PRIOR AUTHORIZATION

9 * * *

10 (g) The Agency shall require prior authorization for coverage of an opioid
11 controlled substance after the patient has already been prescribed a quantity
12 appropriate for a period of 30 days, including refills. Prior authorization shall
13 be granted only upon demonstration by the prescriber of medical necessity or
14 medical appropriateness, or both.

15 Sec. 5. DEPARTMENT OF HEALTH; REPORT

16 On or before January 15, 2017, the Department of Health shall submit a
17 report to the Senate Committee on Health and Welfare and the House
18 Committee on Human Services addressing the following:

19 (1) available tools for assessing pain and risk of opioid use in chronic
20 pain patients, including an evaluation of their effectiveness and
21 recommendations for their improvement; and

1 (2) available tests for determining whether a patient is using suboxone
2 and buprenorphine appropriately, including each test's effectiveness,
3 recommended protocols for their use, and the degree to which each test may be
4 subject to abuse.

5 Sec. 6. EFFECTIVE DATE

6 This act shall take effect on July 1, 2016.