

How Public Act 100-1052 Protects Your Health

Public Act 100-1052 ensures continuity in prescription drug coverage for Illinoisans and protects the patient-prescriber relationship.

Supporters of HB 4146:



Public Act 100-1052 Ensures That Health Plans Deliver on Policies They Sell.

THESE PROTECTIONS ONLY APPLY TO CERTAIN PLANS IN THE STATE OF ILLINOIS.

Public Act 100-1052 **only covers state regulated, Non-ERISA Employer-sponsored plans.**

- ✓ Not covered: Medicaid, Medicare, ERISA employer-sponsored plans, State Employees.

COMMERCIAL PLANS MUST NOTIFY YOU OF A PRESCRIPTION CHANGE WITHIN 60 DAYS.

Health plans cannot remove a drug from its formulary or negatively change its preferred status or cost-sharing tier unless the plan notifies you **at least 60 days before** the coverage change occurs. Health plans must:

- ✓ Notify you of the specific drugs involved in the change;
- ✓ Include the steps you may take to request coverage determinations and exceptions;
- ✓ Notify your prescriber and provide a way for them to authorize continuation of coverage.

YOUR PRESCRIBING PROVIDER CAN EASILY REQUEST CONTINUATION OF COVERAGE .

When a health plan notifies your prescriber about a midyear formulary change, they must include a **one-page form or instructions to access an online portal** where your doctor can easily request that your health plan continue providing coverage because the drug is medically necessary.

- ✓ A prescriber certification alone shall authorize continuation of coverage for the drug.

A health plan must authorize coverage for the drug based *solely* on the prescribing provider's assertion that coverage is medically necessary.

YOUR HEALTH PLAN CANNOT MAKE CERTAIN MIDYEAR CHANGES TO COVERAGE.

Commercial health plans are **prohibited from making changes during the policy year** that:

- ✓ Increase your out-of-pocket drug costs;
- ✓ Move a covered drug to a more restrictive tier;
- ✓ Deny coverage of a drug for which you have already been approved.

PLANS CAN STILL UPDATE PRESCRIPTION COVERAGE FOR SAFETY AND INNOVATIONS.

Under Public Act 100-1052, **your health care plan can make certain changes** to your formulary, including:

- ✓ Add new drugs to a formulary or remove a drug from a formulary if the FDA deems it unsafe;
- ✓ Remove a drug from a formulary if the FDA or manufacturer withdraws it from the market;
- ✓ Require a pharmacist to substitute an interchangeable biologic for a biological product or generic drug deemed therapeutically equivalent by the FDA.