

**SENATE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Brown, Scott (SEN)**

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

**An Act further regulating appeals under the Group Insurance Commission**

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PETITION OF:

NAME:	DISTRICT/ADDRESS:
Brown, Scott (SEN)	Norfolk, Bristol and Middlesex
Mr. Hedlund	Plymouth and Norfolk
Mr. Knapik	Second Hampden and Hampshire
Mr. Tarr	First Essex and Middlesex
Mr. Tisei	Middlesex and Essex
Todd M. Smola	1st Hampden

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S01461 OF .]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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**AN ACT FURTHER REGULATING APPEALS UNDER THE GROUP INSURANCE  
COMMISSION.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority  
of the same, as follows:*

1           SECTION 1. Chapter 32A of the General Laws is hereby by amended inserting the  
2 following section:-

3   Section 17J. Any person, who is dispensed a non-formulary or non-preferred brand name  
4   prescription drug, as determined under a pharmaceutical drug program established by the  
5   commission or through a pharmacy benefit manager contracted by the commission, may appeal  
6   that determination to the commission; and upon the submission of a statement by the person's  
7   physician that, due to a medical necessity, only the non-formulary, or non-preferred brand name  
8   prescription drug can be dispensed, the person shall pay for the drug at the same rate required for  
9   the formulary or preferred brand name prescription drugs under such pharmaceutical drug  
10   program.