



Rep. Laura Fine

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09800HB3638ham003

LRB098 12067 RPM 57302 a

1 AMENDMENT TO HOUSE BILL 3638

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3638 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Insurance Code is amended by  
5 adding Section 364.3 as follows:

6 (215 ILCS 5/364.3 new)

7 Sec. 364.3. Prior authorization form; prescription  
8 benefits.

9 (a) Notwithstanding any other provision of law, on and  
10 after January 1, 2015, a health insurer that provides  
11 prescription drug benefits must, within 72 hours after receipt  
12 of a prior authorization form from a prescribing provider or  
13 pharmacist, either approve or deny the prior authorization. In  
14 the case of a denial, the health insurer shall provide the  
15 prescriber with the reason for the denial, an alternative  
16 covered medication, if applicable, and information regarding

1 the procedure for submitting an appeal to the denial.

2 In the case of an expedited coverage determination, the  
3 health insurer must either approve or deny the prior  
4 authorization within 24 hours after receipt of the prior  
5 authorization form. In the case of a denial, the health insurer  
6 shall provide the prescriber with the reason for the denial, an  
7 alternative covered medication, if applicable, and information  
8 regarding the procedure for submitting an appeal to the denial.

9 (b) Health insurers must provide confirmation of receipt of  
10 a prior authorization form within one hour after receipt of the  
11 prior authorization form.

12 (c) This Section does not apply to plans for beneficiaries  
13 of Medicare or Medicaid.

14 (d) For the purposes of this Section:

15 "Pharmacist" has the same meaning as set forth in the  
16 Pharmacy Practice Act.

17 "Prescribing provider" includes a provider authorized to  
18 write a prescription, as described in subsection (e) of Section  
19 3 of the Pharmacy Practice Act, to treat a medical condition of  
20 an insured.

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law."