



Sen. Dan Kotowski

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09800HB3638sam001

LRB098 12067 RPM 59265 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 paper or electronic prior authorization form from a
13 prescribing provider or pharmacist, either approve or deny the
14 prior authorization. In the case of a denial, the health
15 insurer shall provide the prescriber with the reason for the
16 denial, an alternative covered medication, if applicable, and

1 information regarding the procedure for submitting an appeal to
2 the denial.

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

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

13 (c) For the purposes of this Section:

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

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

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