

An Act

ENROLLED HOUSE
BILL NO. 2748

By: Miller, Conley, West
(Tammy), Hasenbeck, Stark,
Townley, Roe, Baker,
Provenzano, Munson,
Crosswhite Hader, Hefner,
Schreiber, Ranson, Goodwin,
and Fugate of the House

and

Stanley of the Senate

An Act relating to public health and safety;
prohibiting step therapy requirements for certain
drugs for certain conditions; providing definitions;
authorizing a health benefit plan to allow coverage
for prescription drugs for advanced metastatic cancer
and associated conditions without proving step
therapy; and providing an effective date.

SUBJECT: Public health and safety

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 7320 of Title 63, unless there
is created a duplication in numbering, reads as follows:

For the purpose of prohibiting step therapy requirements for
certain prescription drugs to treat advanced metastatic cancer and
associated conditions.

As used in this section:

1. "Associated conditions" means the symptoms or side effects
associated with advanced metastatic cancer or its treatment and

which, in the judgment of the health care practitioner, will further jeopardize the health of a patient if left untreated; and

2. "Advanced metastatic cancer" means cancer that has spread from the primary or original site of the cancer to nearby tissues, lymph nodes, or other areas or parts of the body.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7321 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. A health benefit plan that provides coverage for advanced metastatic cancer and associated conditions may not require, before the health benefit plan provides coverage of a prescription drug approved by the United States Food and Drug Administration, that the enrollee:

1. Fails to successfully respond to a different drug; or
2. Proves a history of failure of a different drug.

B. This section applies only to a drug, the use of which is:

1. Consistent with best practices for the treatment of advanced metastatic cancer or an associated condition;
2. Supported by peer-reviewed, evidence-based literature; and
3. Approved by the United States Food and Drug Administration.

SECTION 3. This act shall become effective November 1, 2023.

Passed the House of Representatives the 7th day of March, 2023.

Presiding Officer of the House
of Representatives

Passed the Senate the 19th day of April, 2023.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____