

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 258 Session of
2005

INTRODUCED BY KENNEY, BROWNE, CORNELL, LEDERER, BELFANTI, BUNT,
BUXTON, CALTAGIRONE, CAWLEY, CIVERA, CREIGHTON, FAIRCHILD,
GEORGE, GINGRICH, GOODMAN, HERSHEY, HESS, KILLION, KOTIK,
LEACH, O'NEILL, PHILLIPS, ROSS, B. SMITH, STABACK,
E. Z. TAYLOR, THOMAS, WALKO, WHEATLEY, YOUNGBLOOD, BOYD,
WATSON, FRANKEL AND HARHART, FEBRUARY 8, 2005

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES,
FEBRUARY 8, 2005

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," providing for
4 pharmaceutical modification statement.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. The act of June 13, 1967 (P.L.31, No.21), known
8 as the Public Welfare Code, is amended by adding a section to
9 read:

10 Section 450. Pharmaceutical Modification Statement.--The
11 secretary shall not make application for any approval of
12 modifications to its State plan as provided for in the Social
13 Security Act (49 Stat. 620, 42 U.S.C. § 301 et seq.) pertaining
14 to the reimbursement for, rebate on or access to pharmaceuticals
15 as it may relate to the establishment of a drug formulary or
16 preferred drug list in the Pennsylvania Medical Assistance

1 Program until it has transmitted a detailed programmatic and
2 fiscal impact statement to the General Assembly. The statement
3 shall be transmitted to the Majority Chairman and Minority
4 Chairman of the Public Health and Welfare Committee of the
5 Senate and the Majority Chairman and Minority Chairman of the
6 Health and Human Services Committee of the House of
7 Representatives. The statement shall detail the impact of the
8 plan amendment on existing enrollees that will be transitioned
9 into Medicare part D under the provisions of the Federal
10 Medicare Prescription Drug Improvement and Modernization Act of
11 2003 (Public Law 108-173, U.S.C.).

12 Section 2. This act shall take effect in 60 days.