



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1636

Introduced 2/8/2023, by Sen. Sara Feigenholtz

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-5.12f new

Amends the Medical Assistance Article of the Illinois Public Aid Code. Provides that for the purpose of removing barriers to the timely treatment of serious mental illnesses, prior authorization mandates and utilization management controls shall not be imposed under the fee-for-service and managed care medical assistance programs on any FDA-approved prescription drug that is recognized by a generally accepted standard medical reference as effective in the treatment of conditions specified in the most recent Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association. Provides that the following shall be permitted for prescription drugs covered under the amendatory Act: (i) clinically appropriate drug utilization review (DUR) edits, including, but not limited to, drug-to-drug, drug-age, and drug-dose; (ii) generic drug substitution if a generic drug is available for the prescribed medication in the same dosage and formulation; and (iii) any utilization management control that is necessary for the Department of Healthcare and Family Services to comply with any current consent decrees or federal waivers. Defines "serious mental illness".

LRB103 28601 KTG 54982 b

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by
5 adding Section 5-5.12f as follows:

6 (305 ILCS 5/5-5.12f new)

7 Sec. 5-5.12f. Prescription drugs for mental illness; no
8 utilization or prior approval mandates.

9 (a) Notwithstanding any other provision of this Code to
10 the contrary, except as otherwise provided in subsection (b),
11 for the purpose of removing barriers to the timely treatment
12 of serious mental illnesses, prior authorization mandates and
13 utilization management controls shall not be imposed under the
14 fee-for-service and managed care medical assistance programs
15 on any FDA-approved prescription drug that is recognized by a
16 generally accepted standard medical reference as effective in
17 the treatment of conditions specified in the most recent
18 Diagnostic and Statistical Manual of Mental Disorders
19 published by the American Psychiatric Association.

20 (b) The following shall be permitted for prescription
21 drugs covered under this Section:

22 (1) clinically appropriate drug utilization review
23 (DUR) edits, including, but not limited to, drug-to-drug,

1 drug-age, and drug-dose;

2 (2) generic drug substitution if a generic drug is
3 available for the prescribed medication in the same dosage
4 and formulation; and

5 (3) any utilization management control that is
6 necessary for the Department to comply with any current
7 consent decrees or federal waivers.

8 (c) As used in this Section, "serious mental illness"
9 means any one or more of the following diagnoses and
10 International Classification of Diseases, Tenth Revision,
11 Clinical Modification (ICD-10-CM) codes listed by the
12 Department of Human Services' Division of Mental Health, as
13 amended, on its official website:

14 (1) Delusional Disorder (F22)

15 (2) Brief Psychotic Disorder (F23)

16 (3) Schizophreniform Disorder (F20.81)

17 (4) Schizophrenia (F20.9)

18 (5) Schizoaffective Disorder (F25.x)

19 (6) Catatonia Associated with Another Mental Disorder
20 (Catatonia Specifier) (F06.1)

21 (7) Other Specified Schizophrenia Spectrum and Other
22 Psychotic Disorder (F28)

23 (8) Unspecified Schizophrenia Spectrum and Other
24 Psychotic Disorder (F29)

25 (9) Bipolar I Disorder (F31.xx)

26 (10) Bipolar II Disorder (F31.81)

- 1 (11) Cyclothymic Disorder (F34.0)
- 2 (12) Unspecified Bipolar and Related Disorder (F31.9)
- 3 (13) Disruptive Mood Dysregulation Disorder (F34.8)
- 4 (14) Major Depressive Disorder Single episode (F32.xx)
- 5 (15) Major Depressive Disorder, Recurrent episode
6 (F33.xx)
- 7 (16) Obsessive-Compulsive Disorder (F42)
- 8 (17) Posttraumatic Stress Disorder (F43.10)
- 9 (18) Anorexia Nervosa (F50.0x)
- 10 (19) Bulimia Nervosa (F50.2)
- 11 (20) Postpartum Depression (F53.0)
- 12 (21) Puerperal Psychosis (F53.1)
- 13 (22) Factitious Disorder Imposed on Another (F68.A)