Workers' Comp

# Indiana Legislature Passes Drug Formulary Bill

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**By Brian Allen, VP of Government Affairs**

On a 67-28 vote, the Indiana House of Representatives passed Senate Bill 369 moving the state closer to the adoption of a drug formulary for the Indiana workers' compensation system. The bill, sponsored by Senator Randy Head, designates the Official Disability Guidelines (ODG) Appendix A as the drug formulary and initiates some guidelines around the authorization of drugs designated as “N” in the ODG formulary. Any requests denied for prior authorization must be reviewed by a URAC accredited entity with a final decision issued within five business days. There is an appeal process if the URAC entity affirms the denial of the medication. Formulary requirements are waived in the event of a “medical emergency.”

The bill is now on its way to the desk of Governor Eric Holcomb for further action. The Governor is expected to sign the legislation. Upon approval, the drug formulary will be effective on January 1, 2019, for new claims and January 1, 2020 for all claims. We expect the Workers' Compensation Board of Indiana to initiate some rulemaking to clarify aspects of the review process and transitioning existing injured workers who currently utilize “N” drugs.

The final version of SB369 can be found here.

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For further information regarding this legislation or other regulatory or legislative action, please contact Brian Allen, vice president of government affairs at Brian.Allen@mitchell.com or at 801.661.2922.



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