

BILL ANALYSIS

H.B. 3058
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Insurance
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that subjecting patients with AIDS or HIV to prior authorization for every refill of their medication is inappropriate given the ongoing nature of the treatment required. To avoid these patients being forced to run out of medication while waiting for prior authorization and risking possible health complications, H.B. 3058 seeks to prohibit prior authorization from being required for a prescription drug prescribed to treat AIDS or HIV.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3058 amends the Insurance Code to prohibit a health benefit plan issuer that provides prescription drug benefits from requiring prior authorization of the prescription drug benefit for a prescription drug prescribed to treat AIDS or HIV. The bill establishes, and provides certain exceptions to, the applicability of its provisions. The bill applies only to a health benefit plan that is delivered, issued for delivery, or renewed on or after January 1, 2020.

EFFECTIVE DATE

September 1, 2019.