S-1001.1

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**SENATE BILL 5695**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senators Rivers, Liias, Mullet, and Darneille

AN ACT Relating to health insurance coverage for abuse-deterrent opioid analgesic drugs; adding a new section to chapter 48.43 RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature finds that the abuse of opioids is a serious problem that affects the health, social, and economic welfare of the state. The legislature finds that an estimated two million one hundred thousand people in the United States suffered from substance use disorders related to prescription opioid pain relievers in 2012. The legislature finds that the number of unintentional overdose deaths from prescription pain relievers has more than quadrupled since 1999. The legislature is convinced that it is imperative for people suffering from pain to get the relief they need while minimizing the potential for negative consequences.

NEW SECTION. **Sec.**  A new section is added to chapter 48.43 RCW to read as follows:

(1) All health plans issued or renewed on or after January 1, 2016, that include coverage for prescription drugs must provide coverage for abuse-deterrent opioid analgesic drugs as preferred drugs on their formulary, preferred drug list, or other lists of similar construct.

(2) Cost sharing for abuse-deterrent opioid analgesic drug products shall not exceed the lowest cost-sharing level applied to prescription drugs.

(3) An increase in patient cost sharing or other disincentives for prescribers or dispensers shall not be allowed to achieve compliance with this section.

(4) For purposes of this section, the following definitions apply:

(a) "Abuse-deterrent opioid analgesic drug product" means a brand or generic opioid analgesic drug product approved by the United States food and drug administration with abuse-deterrence labeling claims that indicate the drug product is expected to result in a meaningful reduction in abuse.

(b) "Cost sharing" means any coverage limit, copayment, coinsurance, deductible, or other out-of-pocket expense requirements.

(c) "Opioid analgesic drug product" means a drug product in the opioid analgesic drug class prescribed to treat moderate to severe pain or other conditions, whether in immediate release or extended release/long-acting form and whether or not combined with other drug substances to form a single drug product or dosage form.

(5) Any prior authorization requirements or other utilization review measures for opioid analgesic drug products on the market, and any service denials made, shall not require first use of nonabuse-deterrent opioid analgesic drug products in order to access opioid analgesic drug products with abuse-deterrent properties.

(6) This section does not prevent an insurer or health plan from applying prior authorization requirements to abuse-deterrent opioid analgesic drug products, provided the requirements are applied to nonabuse-deterrent versions of that opioid.

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