

## **BILL ANALYSIS**

Senate Research Center  
81R26655 TJS-F

H.B. 4402  
By: Martinez Fischer et al. (Van de Putte)  
State Affairs  
5/13/2009  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Continuity of care safeguards promote the quality of health care and improve health outcomes by encouraging medication compliance and protecting patients from ill-advised medication switches. These safeguards also protect patients who are taking prescription medication by ensuring that any change in medication is prompted by medical considerations, rather than new coverage restrictions.

H.B. 4402 relates to a study regarding insurance coverage of prescription drugs provided under a health benefit plan.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter B, Chapter 1369, Insurance Code, by adding Section 1369.0551, as follows:

Sec. 1369.0551. STUDY. (a) Requires the Texas Department of Insurance (TDI) to conduct a study to evaluate the ways in which pharmacy benefit managers use prescription drug information to manage therapeutic drug interchange programs and other drug substitution recommendations made by pharmacy benefit managers or other similar entities. Sets forth the required content of the study.

(b) Requires TDI, not later than August 1, 2010, to submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the appropriate standing committees of the legislature a report regarding the results of the study required by Subsection (a), together with any recommendations for legislation.

(c) Provides that this section expires September 1, 2010.

SECTION 2. Effective date: September 1, 2009.