

HOUSE BILL NO. 4815

August 26, 2025, Introduced by Reps. Foreman, Rogers, Glanville, Xiong, Rheingans, Longjohn, Tsernoglou, Byrnes, Dievendorf, Conlin, Morgan, Price, Brixie, Young, Scott, Wooden, Mentzer, Steckloff, Pohutsky, Weiss, Hope and Jenkins-Arno and referred to Committee on Insurance.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
by amending section 109h (MCL 400.109h), as amended by 2022 PA 19,
and by adding section 109t.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 109h. (1) If the department develops a prior
2 authorization process for prescription drugs as part of the
3 pharmaceutical services offered under the medical assistance
4 program administered under this act, the department shall not

1 require prior authorization for the following single source brand
2 name, generic equivalent of a multiple source brand name, or other
3 prescription drugs:

4 (a) A central nervous system prescription drug that is
5 classified as an anticonvulsant, antidepressant, antipsychotic, or
6 a noncontrolled substance antianxiety drug in a generally accepted
7 standard medical reference.

8 (b) A prescription drug that is cross-indicated for a central
9 nervous system drug exempted under subdivision (a) as documented in
10 a generally accepted standard medical reference.

11 (c) Unless the prescription drug is a controlled substance or
12 the prescription drug is being prescribed to treat a condition that
13 is excluded from coverage under this act, a prescription drug that
14 is recognized in a generally accepted standard medical reference as
15 effective in the treatment of conditions specified in the most
16 recent diagnostic and statistical manual of mental disorders
17 published by the American Psychiatric Association, including
18 substance use disorder. The department or the department's agent
19 shall not deny a request for prior authorization of a controlled
20 substance under this subdivision unless the department or the
21 department's agent determines that the controlled substance or the
22 dosage of the controlled substance being prescribed is not
23 consistent with its licensed indications or with generally accepted
24 medical practice as documented in a standard medical reference.

25 (d) A prescription drug that is recognized in a generally
26 accepted standard medical reference to prevent acquisition of or to
27 treat human immunodeficiency virus infection or complication of the
28 human immunodeficiency virus or acquired immunodeficiency syndrome.

29 (e) A prescription drug that is recognized in a generally

1 accepted standard medical reference for the treatment of and is
2 being prescribed to a patient for the treatment of any of the
3 following:

4 (i) Cancer.

5 (ii) Organ replacement therapy.

6 (iii) Epilepsy or seizure disorder.

7 (iv) Opioid withdrawal symptom management.

8 **(f) A prescription of any medication administered or**
9 **prescribed to treat symptoms of menopause and perimenopause,**
10 **including, but not limited to, treatment that is hormone**
11 **replacement therapy or approved by the United States Food and Drug**
12 **Administration.**

13 (2) This section applies to drugs being provided under a
14 contract between the department and a health maintenance
15 organization.

16 (3) This section does not prohibit the department from
17 contracting with a managed care organization for pharmaceutical
18 services offered under the medical assistance program administered
19 under this act as long as the contract complies with the provisions
20 of this section.

21 (4) As used in this section:

22 (a) "Controlled substance" means that term as defined in
23 section 7104 of the public health code, 1978 PA 368, MCL 333.7104.

24 (b) "Cross-indicated" means a drug that is used for a purpose
25 generally held to be reasonable, appropriate, and within community
26 standards of practice even though the use is not included in the
27 United States Food and Drug Administration's approved labeled
28 indications for that drug.

29 (c) "Prescriber" means that term as defined in section 17708

1 of the public health code, 1978 PA 368, MCL 333.17708.

2 (d) "Prescription" or "prescription drug" means that term as
3 defined in section 17708 of the public health code, 1978 PA 368,
4 MCL 333.17708.

5 (e) "Prior authorization" means a process implemented by the
6 department that conditions, delays, or denies the delivery of
7 particular pharmaceutical services to Medicaid beneficiaries upon
8 application of predetermined criteria by the department or the
9 department's agent for those pharmaceutical services covered by the
10 department on a fee-for-service basis or according to a contract
11 for those services. The process may require a prescriber to verify
12 with the department or the department's agent that the proposed
13 medical use of a prescription drug being prescribed for a patient
14 meets the predetermined criteria for a prescription drug that is
15 otherwise covered under this act or require a prescriber to obtain
16 authorization from the department or the department's agent before
17 prescribing or dispensing a prescription drug that is not included
18 on a preferred drug list or that is subject to special access or
19 reimbursement restrictions.

20 **Sec. 109t. (1) The department shall provide coverage under the**
21 **medical assistance program for any medically necessary care or**
22 **treatment for menopause and perimenopause, including, but not**
23 **limited to, treatment that is hormone replacement therapy or**
24 **approved by the United States Food and Drug Administration.**

25 (2) The department shall not require a step therapy or fail-
26 first policy or protocol for the administration or prescription of
27 any medication administered or prescribed for hormone replacement
28 therapy used to treat symptoms of menopause and perimenopause.

29 (3) As used in this act:

1 (a) "Menopause" means the permanent cessation of menstruation
2 due to loss of ovarian follicular function.

3 (b) "Perimenopause" means the transition period in which an
4 individual is near the end of the individual's reproductive years
5 or at the onset of menopause.