

2 **2SHB 2663** - S AMD - 239

3 By Senators Hargrove and Long

4 ADOPTED 3/3/00

5 Strike everything after the enacting clause and insert the
6 following:

7 NEW SECTION. **Sec. 1.** The legislature finds that schizophrenia is
8 a devastating and costly disease. Atypical antipsychotic medications
9 have been developed for treatment of schizophrenia and other similar
10 psychiatric and neurological conditions, which have been effective at
11 treating these conditions with less severe side effects than the side
12 effects that accompany typical antipsychotics. Atypical antipsychotic
13 medications are commonly prescribed and are within the standard of
14 care. In order to protect the public health, safety, and welfare, and
15 reduce the economic and societal costs associated with untreated
16 schizophrenia and other similar psychiatric and neurological
17 conditions, the legislature intends to promote access to atypical
18 antipsychotic medications by those unable to access them and who
19 present a risk of harm to themselves and to the community.

20 NEW SECTION. **Sec. 2.** (1) To the extent funds are appropriated,
21 the department of social and health services shall request proposals
22 that promote access to atypical antipsychotic medications to persons
23 who meet the following criteria:

24 (a) The person has schizophrenia or other psychiatric or
25 neurological condition that is treated with atypical antipsychotic
26 medication;

27 (b) The person's income is less than two hundred percent of the
28 federal poverty level; and

29 (c) The person is not covered by insurance or other benefit that
30 pays for atypical antipsychotic medications. The person may have a
31 copayment requirement under available coverage, which is cost
32 prohibitive for the person given his or her income level, which would
33 not disqualify the person under the requirement of this section.

34 (2) Contracts shall be awarded to contractors whose proposal meets
35 the following criteria:

1 (a) Has a distribution mechanism that achieves cost savings in
2 service delivery and medication costs;

3 (b) Targets children and adults who are transitioning out of state
4 or local correctional or detention facilities or who have recently
5 received mental health services under chapter 71.05 or 71.34 RCW;

6 (c) Is based on a clear statement of intended outcomes which are
7 objective and identified in the proposal;

8 (d) Is designed to provide temporary access to these atypical
9 antipsychotic medications until the person has obtained coverage or
10 achieved financial capacity to retain them;

11 (e) Proposes to dispense the atypical antipsychotic medications as
12 a part of a comprehensive program designed to achieve an improved
13 mental status and stable living situation; and

14 (f) Maximizes cost savings of the atypical antipsychotic
15 medications.

16 (3)(a) "Atypical antipsychotic medications" means drugs with a
17 pharmacological classification of dibenzodiazepines, benzisoxazoles,
18 thienobenzodiazepines, and dibenzothiazepines, and such other drugs as
19 are defined in rule by the department which have the same or very
20 similar utility in treating schizophrenia or other similar psychiatric
21 and neurological conditions.

22 (b) "Access to atypical antipsychotic medications" includes:

23 (i) Pharmaceutical companies participating in this program shall
24 increase access to their products for the targeted population through
25 intensive outreach to their respective indigent drug programs as of the
26 effective date of this act. The eligibility criteria of their
27 respective indigent drug programs shall not be changed to decrease
28 access or availability from the criteria as they exist on March 15,
29 2000; and

30 (ii) Other drugs or laboratory tests when used in conjunction with
31 the atypical antipsychotic medications to achieve maximum therapeutic
32 effect, or to treat side effects.

33 (4) Nothing in this section creates or provides any individual with
34 an entitlement to services or benefits. It is the intent of the
35 legislature that atypical antipsychotic medications shall be made
36 available under this section only to the extent of the availability and
37 level of appropriation made by the legislature.

1 (5) The distribution mechanism shall require successful recipients
2 to comply with data collection needs of the Washington institute for
3 public policy.

4 (6) The department is authorized to establish rules necessary to
5 implement the provisions of this act.

6 NEW SECTION. **Sec. 3.** (1) The Washington institute for public
7 policy shall conduct an evaluation of this act to determine the
8 following:

9 (a) Outcomes for persons receiving atypical antipsychotic
10 medications under the provisions of this act, including, but not
11 limited to the person's: (i) Ability to perform basic living skills
12 and maintain a job; (ii) adherence to medication regimens; (iii) number
13 of inpatient placement or acute care services after having received
14 atypical antipsychotic medications; and (iv) criminal conviction record
15 for further offenses, if any, after having received atypical
16 antipsychotic medications;

17 (b) The extent to which this act increases access to atypical
18 antipsychotic medications to the targeted population; and

19 (c) The uniformity by health care providers in prescribing atypical
20 antipsychotic medications among the population identified under the
21 provisions of this act.

22 (2) The Washington institute for public policy shall identify the
23 number of children and the number of adults served; and outcomes,
24 access, and uniformity for both children and adults.

25 (3) The Washington institute for public policy shall report to the
26 legislature by January 1, 2002.

27 NEW SECTION. **Sec. 4.** This act expires June 30, 2002."

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31 On page 1, line 2 of the title, after "populations;" strike the
32 remainder of the title and insert "creating new sections; and providing
33 an expiration date."

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