

# 2020 SPECIAL SESSION I

INTRODUCED

20200602D

## HOUSE BILL NO. 5094

Offered August 19, 2020

*A BILL to amend the Code of Virginia by adding a section numbered 38.2-3407.11:6, relating to health insurance; certain prescription drugs used for treatment of COVID-19; prior authorization prohibited.*

Patrons—Hodges, Avoli, Cole, M.L., Coyner, Fowler, Rasoul, Runion, Simonds and Walker; Senator: Ruff

Referred to Committee on Labor and Commerce

### **Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 38.2-3407.11:6 as follows:**

**§ 38.2-3407.11:6. *Certain prescription drugs used for treatment of COVID-19; prior authorization prohibited.***

*A. Notwithstanding any provision of § 38.2-3419 or any other section of this title to the contrary, no insurer proposing to issue individual or group accident and sickness insurance policies providing hospital, medical and surgical, or major medical coverage on an expense-incurred basis, corporation providing individual or group accident and sickness subscription contracts, or health maintenance organization providing a health care plan for health care services shall require prior authorization for the use of any prescription drug in the treatment of COVID-19 that has received an Emergency Use Authorization from the U.S. Food and Drug Administration for such treatment.*

*B. The requirements of this section shall apply to all policies, contracts, and plans delivered, issued for delivery, reissued, or extended in the Commonwealth on and after January 1, 2021, or at any time thereafter when any term of the policy, contract, or plan is changed or any premium adjustment is made thereto.*

*C. The provisions of this section shall not apply to short-term travel, accident-only, or limited or specified disease policies, contracts designed for issuance to persons eligible for coverage under Title XVIII of the Social Security Act, known as Medicare, or any other similar coverage under state or federal governmental plans, or short-term nonrenewable policies of not more than six months' duration.*

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