PROPOSED AMENDMENTS TO HOUSE BILL NO. 1385

Page 1, line 1, replace "section" with "sections 50-24.6-02 and"

Page 1, line 2, after "the" insert "drug use review board and the"

Page 1, after line 3, insert:

"**SECTION 1. AMENDMENT.** Section 50-24.6-02 of the North Dakota Century Code is amended and reenacted as follows:

50-24.6-02. Drug use review board.

1. The board is established within the department for the implementation of a drug use review program.

2. The board consists of ~~sixteen~~ seventeen members. The pharmacy administrator of the department and the medical consultant to the department are ex officio nonvoting board members who shall provide administrative services to the board. A majority of the appointed members must be physicians and pharmacists participating in the medical assistance program. Four or more of the appointed members must have experience with a drug use review process or have participated in programs in which prior authorization is used. The appointed members of the board must be:

    a. Four physicians licensed in this state and actively engaged in the practice of medicine, one of whom is a psychiatrist, appointed by the North Dakota medical association;

    b. Two physicians licensed in this state and actively engaged in the practice of medicine, appointed by the executive director of the department;

    c. Four pharmacists licensed in this state and actively engaged in the practice of pharmacy, appointed by the North Dakota pharmaceutical association;

    d. Two pharmacists licensed in this state and actively engaged in the practice of pharmacy, appointed by the executive director of the department;

    e. One individual who represents consumer interests, appointed by the governor; ~~and~~

    f. One pharmacist or physician representing the brand pharmaceutical industry appointed by the pharmaceutical research and manufacturers of America; and

    g. One pharmacist or physician representing the generic pharmaceutical industry appointed by the generic pharmaceutical association.

3. Appointed board members shall serve staggered three-year terms. ~~Two physicians and two pharmacists must be initially appointed for two-year terms, and two physicians and two pharmacists must be initially appointed for one-year terms.~~ An appointed member may be reappointed for a period

not to exceed three 3-year terms. A vacancy on the board must be filled for the balance of the unexpired term from the appropriate board category as provided under subsection 2. The executive director of the department may replace an appointed member of the board who fails to attend three consecutive meetings of the board without advance excuse or who fails to perform the duties expected of a board member. The pharmaceutical industry ~~representative is a~~ representatives are nonvoting board ~~member~~ members.

4.   Voting board members shall select a chairman and a vice chairman on an annual basis from the board's voting membership.

5.   The board shall meet in person at least once every three months and may meet at other times by teleconference or electronically at the discretion of the chairman. A board member is entitled to receive from the department per diem compensation and reimbursement of expenses as determined by the department, except that no compensation under this section may be paid to any board member who receives compensation or salary as a state employee or official."

Page 2, line 2, overstrike "or AB-rated" and insert immediately thereafter ", or brand name drugs with a"

Page 2, line 4, overstrike "or otherwise restrict single-source or brand"

Page 2, overstrike lines 5 through 8

Page 2, line 9, overstrike "b. Cancer" and insert immediately thereafter "the following medication classes:

        a.   Antipsychotics;

        b.   Antidepressants;

        c.   Anticonvulsants;

        d.   Antiretrovirals, for the treatment of human immunodeficiency virus;

        e.   Antineoplastic agents, for the treatment of cancer; and

        f.   Stimulant medication used for the treatment of attention deficit disorder and attention deficit hyperactivity disorder"

Renumber accordingly