



Rep. Lindsey LaPointe

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10300HB2388ham001

LRB103 30755 KTG 59822 a

1 AMENDMENT TO HOUSE BILL 2388

2 AMENDMENT NO. _____. Amend House Bill 2388 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by
5 adding Sections 5-5.12f and 5-5.12g as follows:

6 (305 ILCS 5/5-5.12f new)

7 Sec. 5-5.12f. Prescription drugs for mental illness; no
8 utilization or prior approval mandates. Notwithstanding any
9 other provision of this Code to the contrary, for the purpose
10 of removing barriers to the timely treatment of serious mental
11 illnesses, insurance cost containment prior authorization
12 mandates and insurance utilization management controls shall
13 not be imposed under the fee-for-service and managed care
14 medical assistance programs on any FDA approved prescription
15 drug that is recognized by a generally accepted standard
16 medical reference as effective in the treatment of conditions

1 specified in the most recent Diagnostic and Statistical Manual
2 of Mental Disorders published by the American Psychiatric
3 Association.

4 (305 ILCS 5/5-5.12g new)

5 Sec. 5-5.12g. Non-controlled prescription medications to
6 treat mental illness.

7 (a) As used in this Section:

8 "DSM-5 criteria" means the diagnostic criteria established
9 in the Diagnostic and Statistical Manual of Mental Disorders,
10 Fifth Edition (DSM-5).

11 "FDA" means the United States Food and Drug
12 Administration.

13 (b) Notwithstanding any other provision of this Code to
14 the contrary, on and after July 1, 2023, all non-controlled
15 FDA-approved prescription medications for the treatment of a
16 serious mental illness, as defined by the Department of Human
17 Services, shall be covered under the medical assistance
18 program for persons otherwise eligible for medical assistance
19 who are diagnosed with a mental disorder that meets DSM-5
20 criteria and which is the focus of the treatment provided,
21 including, but not limited to, schizophrenia, schizo-affective
22 disorders, bipolar disorders, post-traumatic stress disorder,
23 and major depressive disorder, including postpartum
24 depression. Prescription medications covered under this
25 Section shall not be subject to any prior authorization

1 mandate or lifetime restriction limit mandate. For any
2 medication covered under this Section that contains an opioid
3 antagonist, the prescriber shall check the Illinois
4 Prescription Monitoring Program to determine if the patient is
5 being actively prescribed an opioid. The prescriber of a
6 non-controlled FDA-approved prescription medication must be a
7 board-certified psychiatrist or a medical professional with
8 prescribing authority that routinely treats patients with a
9 serious mental illness.

10 Section 99. Effective date. This Act takes effect July 1,
11 2023."