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AN ACT

RELATING TO HEALTH; LIMITING CERTAIN MEDICAID PRIOR AUTHORIZATION
REQUIREMENTS FOR MEDICATIONS PRESCRIBED FOR PERSONS WITH SEVERE
MENTAL ILLNESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 27-2C-3 NMSA 1978 (being Laws 2002, Chapter 105,
Section 3) is amended to read:

"27-2C-3. MEDICAID FORMULARY FOR PRESCRIPTION DRUGS.--

A. The department shall develop or implement a formulary or preferred
drug list, taking into consideration the clinical efficacy, safety and cost effectiveness of
a product.

B. The department shall ensure that the administration or delivery of
health care services and products under the medicaid program includes a formulary
that will provide medically appropriate drug therapies for patients.

C. The department shall require a prior authorization before a drug not
listed on the medicaid program formulary may be dispensed unless otherwise provided
pursuant to Subsection C of Section 27-2C-4 NMSA 1978.

D. The department shall ensure that atypical antipsychotic medications
are available in the same manner as conventional antipsychotic medications for
medicaid patients for the treatment of severe mental illnesses that are listed in a
current national diagnostic and statistical manual of mental disorders published by a
national psychiatric association, including schizophrenia, clinical depression, bipolar
disorder, anxiety-panic attack disorder and obsessive compulsive disorder."