

SECOND REGULAR SESSION

HOUSE BILL NO. 2243

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CURLS (Sponsor), TILLEY, BAKER (25), PRATT, LeVOTA, PAGE, McCLANAHAN, ROBB, HUBBARD, AVERY, YATES, JETTON, OXFORD, LOWE (44), LOW (39), LAMPE, CHAPPELLE-NADAL, BLAND, TALBOY, FALLERT, HUGHES, GRISAMORE, WALTON, RUCKER, HAYWOOD, SWINGER, SKAGGS, NOLTE, FISHER, SCHARNHORST, STEVENSON, MAY, THRELKELD, SCHOEMEHL, WALSH, ZWEIFEL, MEADOWS, KOMO, SALVA, KINGERY, DEEKEN, POLLOCK, BRUNS, STORCH, BRINGER AND HARRIS (23) (Co-sponsors).

Read 1st time February 21, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4978L.02I

AN ACT

To amend chapter 191, RSMo, by adding thereto two new sections relating to fibromyalgia.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 191, RSMo, is amended by adding thereto two new sections, to be
2 known as sections 191.390 and 191.392, to read as follows:

**191.390. 1. There is hereby created within the department of health and senior
2 services the "Missouri Fibromyalgia Awareness Initiative Program". The primary target
3 population for such program shall be women between twenty and sixty years of age.**

**4 2. The department shall appoint and convene the "Missouri Fibromyalgia Panel"
5 to be comprised of individuals, who shall act in a voluntary capacity, with knowledge and
6 expertise regarding fibromyalgia research, prevention, educational programs, and
7 consumer needs, to guide program development. The panel shall seek and is authorized
8 to accept private, federal, or other public financial support, grants, or other appropriate
9 moneys to support the program. The department shall provide the panel and program
10 necessary administrative services and support.**

11 3. The panel shall have the following duties:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

12 (1) In consultation with the National Fibromyalgia Association, to raise at least fifty
13 thousand dollars through private funding for the purpose of establishing a public
14 information and outreach campaign for issues related to fibromyalgia, including
15 appropriate educational material to promote early diagnosis and treatment, prevention of
16 complications, improvement of quality of life at home and in the workplace, and
17 addressing mental health and disability issues of fibromyalgia patients; and

18 (2) To work with other state and local agencies to promote fibromyalgia education
19 and training programs for physicians and other health professionals.

20 4. This section shall be implemented only to the extent that the panel obtains
21 private funding for the purpose of this section.

 191.392. When medications for the treatment of fibromyalgia are restricted for use
2 by a pharmaceutical benefit management procedure, including but not limited to programs
3 such as formulary, preferred drug list, prior authorization program, step therapy or fail
4 first program, a prescriber may override such restriction if:

5 (1) The preferred treatment has been ineffective in the treatment of the covered
6 person's disease or medical condition, or based on sound clinical evidence and medical and
7 scientific evidence;

8 (2) The preferred treatment is expected to be ineffective based on the known
9 relevant physical or mental characteristics of the covered person and known characteristics
10 of the drug regimen, and is likely to be ineffective or adversely affect the drug's
11 effectiveness or patient compliance; or

12 (3) The preferred treatment has caused or is based on sound clinical evidence and
13 medical and scientific evidence is likely to cause an adverse reaction or other harm to the
14 covered person.

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