

## HB 2240 -- Recommendations for Switching Medications

Sponsor: Stevenson

This bill requires the Department of Health and Senior Services to establish rules governing switch communications from health benefit plans and specifies that the term "switch communication" is a communication that recommends a patient's medication be switched to a different medication than originally prescribed by the primary health care professional.

The department's rules must include:

- (1) Requirements for the review and approval of the switch communication by the department;
- (2) Procedures for verifying the accuracy of the switch communication;
- (3) A requirement that all switch communications contain a statement that the message is a promotional announcement from the participant's health care insurer; and
- (4) A requirement that if the switch communication contains information regarding potential therapeutic substitution, the communication must explain that medications in the same therapeutic class have different risks and benefits and may work differently on different patients.

All switch communications must clearly disclose any financial interest that the health care insurer, pharmacy benefits manager, prescriber, or their agent has in the patient's decision to switch medications. Any person who issues or delivers or causes to be issued or delivered a switch communication that has not been approved, provides a misrepresentation or false statement in a switch communication, or commits any other material violation of the provisions of the bill will be subject to a fine of up to \$25,000.