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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R.

To amend the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to require health insurance coverage of drugs indicated for the treatment of autoimmune diseases and certain blood disorders.

IN THE HOUSE OF REPRESENTATIVES

Ms. JOHNSON of Texas introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to require health insurance coverage of drugs indicated for the treatment of autoimmune diseases and certain blood disorders.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Prior Authorization
5 Reform for Autoimmune and Blood Disorders Act”.

1 **SEC. 2. REQUIRING COVERAGE OF DRUGS INDICATED FOR**
2 **THE TREATMENT OF AUTOIMMUNE DISEASES**
3 **AND CERTAIN BLOOD DISORDERS.**

4 (a) ERISA AMENDMENTS.—

5 (1) IN GENERAL.—Subpart B of part 7 of sub-
6 title B of title I of the Employee Retirement Income
7 Security Act of 1974 (29 U.S.C. 1185 et seq.) is
8 amended by adding at the end the following new sec-
9 tion:

10 **“SEC. 727. REQUIREMENTS WITH RESPECT TO COVERAGE**
11 **OF DRUGS FOR AUTOIMMUNE DISEASES AND**
12 **CERTAIN BLOOD DISORDERS.**

13 “(a) IN GENERAL.—A group health plan, and a
14 health insurance issuer offering group health insurance
15 coverage—

16 “(1) shall provide coverage for any drug that is
17 an autoimmune or blood disorder drug, without re-
18 gard to whether such drug is dispensed by a phar-
19 macy or furnished incident to another item or serv-
20 ice for which benefits are available under such plan
21 or coverage; and

22 “(2) may not require, with respect to an indi-
23 vidual enrolled under such plan or coverage, that
24 prior authorization for such a drug be obtained more
25 than once during any 12-month period unless such
26 drug is—

1 **“SEC. 2799A-12. REQUIREMENTS WITH RESPECT TO COV-**
2 **ERAGE OF DRUGS FOR AUTOIMMUNE DIS-**
3 **EASES AND CERTAIN BLOOD DISORDERS.**

4 “(a) IN GENERAL.—A group health plan, and a
5 health insurance issuer offering group or individual health
6 insurance coverage—

7 “(1) shall provide coverage for any drug that is
8 an autoimmune or blood disorder drug, without re-
9 gard to whether such drug is dispensed by a phar-
10 macy or furnished incident to another item or serv-
11 ice for which benefits are available under such plan
12 or coverage; and

13 “(2) may not require, with respect to an indi-
14 vidual enrolled under such plan or coverage, that
15 prior authorization for such a drug be obtained more
16 than once during any 12-month period unless such
17 drug is—

18 “(A) typically used for a period of 12
19 months or less;

20 “(B) an opioid, a benzodiazepine, a bar-
21 biturate, or carisoprodol; or

22 “(C) a drug with respect to which a risk
23 evaluation and mitigation strategy is required
24 under Section 505-1 of the Federal Food,
25 Drug, and Cosmetic Act.

1 “(b) AUTOIMMUNE OR BLOOD DISORDER DRUG DE-
2 FINED.—In this section, the term ‘autoimmune or blood
3 disorder drug’ means a drug or biological product that is
4 indicated and prescribed for the treatment of an auto-
5 immune disease, hemophilia, or Von Willebrand disease.”.

6 (c) INTERNAL REVENUE CODE AMENDMENTS.—

7 (1) IN GENERAL.—Subchapter B of chapter
8 100 of the Internal Revenue Code of 1986 is amend-
9 ed by adding at the end the following new section:

10 **“SEC. 9827. REQUIREMENTS WITH RESPECT TO COVERAGE**
11 **OF DRUGS FOR AUTOIMMUNE DISEASES AND**
12 **CERTAIN BLOOD DISORDERS.**

13 “(a) IN GENERAL.—A group health plan—

14 “(1) shall provide coverage for any drug that is
15 an autoimmune or blood disorder drug, without re-
16 gard to whether such drug is dispensed by a phar-
17 macy or furnished incident to another item or serv-
18 ice for which benefits are available under such plan;
19 and

20 “(2) may not require, with respect to an indi-
21 vidual enrolled under such plan, that prior author-
22 ization for such a drug be obtained more than once
23 during any 12-month period unless such drug is—

24 “(A) typically used for a period of 12
25 months or less;

1 “(B) an opioid, a benzodiazepine, a bar-
2 biturate, or carisoprodol; or

3 “(C) a drug with respect to which a risk
4 evaluation and mitigation strategy is required
5 under Section 505–1 of the Federal Food,
6 Drug, and Cosmetic Act.

7 “(b) AUTOIMMUNE OR BLOOD DISORDER DRUG DE-
8 FINED.—In this section, the term ‘autoimmune or blood
9 disorder drug’ means a drug or biological product that is
10 indicated and prescribed for the treatment of an auto-
11 immune disease, hemophilia, or Von Willebrand disease.”.

12 (2) CLERICAL AMENDMENT.—The table of sec-
13 tions for subchapter B of chapter 100 of the Inter-
14 nal Revenue Code of 1986 is amended by adding at
15 the end the following new item:

 “Sec. 9827. Requirements with respect to coverage of drugs for autoimmune
 diseases and certain blood disorders.”.

16 (d) EFFECTIVE DATE.—The amendments made by
17 this section shall apply with respect to plan years begin-
18 ning on or after January 1, 2027.