Rule Summary and Fiscal Analysis (Part A)

Bureau of Workers' Compensation
Agency Name

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4123-6-21.3 — Rule Number

AMENDMENT — TYPE of rule filing

Rule Title/Tag Line: **Outpatient medication formulary.**

RULE SUMMARY

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **4121.12, 4121.121**

5. Statute(s) the rule, as filed, amplifies or implements: **4121.441, 4123.66**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

BWC now proposes to revise this rule by adding coverage in two classes of drugs listed in the formulary. These recommended changes are the result of recommendations from the P&T Committee and reflect BWC's dedication to providing for appropriate care while ensuring the safety of our injured workers. The committee#s recommendations resulted from consideration of current literature, accepted treatment guidelines and best clinical practice as well as FDA and information published by the drug manufactures.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

The proposed changes are listed below, and are contained in the Appendix to this rule, which is the formulary drug list.

1. Add coverage of two sustained release forms of gabapentin in the Anticonvulsant Drug Class. Those two drugs are Horizant® (gabapentin encarbil) and Gralise® (gabapentin sustained release). These two drugs will be covered by the Bureau after a trial of at least 30 days of the immediate release form of gabapentin has demonstrated unacceptable side effects or systemic allergic reaction (as defined in OAC 4123-6-21 paragraph (J) (1).

2. Add coverage of the drug Stendra® (avanafil) in the Erectile Dysfunction Drug class. The same quantity restrictions will apply to this drug that apply to similar drugs in the class (6 units per 30 days).

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously

filed version of this rule; if none, please state so. If applicable, indicate each specific paragraph of the rule that has been modified:

Not Applicable.

12. 119.032 Rule Review Date: **9/1/2016**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

N/A

This will have no significant impact on revenues or expenditures.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

N/A

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

There should be no negative financial impact on the prescriber community.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component

dealing with environmental protection as defined in R. C. 121.39? **No**

S.B. 2 (129th General Assembly) Questions

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

A.) Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? **No**

B.) Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? **No**

C.) Does this rule require specific expenditures or the report of information as a condition of compliance? **Yes**

> To be paid, pharmacies must electronically submit fee bills for payment to BWC's Pharmacy Benefits Manager(PBM).