A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 3406dd.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 3406dd. (1) An insurer that delivers, issues for
delivery, or renews in this state a health insurance policy that
provides coverage for prescription drugs shall provide coverage,
without cost sharing, for United States Food and Drug
Administration-approved products for pre-exposure prophylaxis with
effective antiretroviral therapy for the reduction of risk of HIV
infection, including any clinical services necessary for the
individual to receive the prescription, such as an HIV test, a
physician office visit, or counseling by a pharmacist.

(2) An insurer described in subsection (1) shall not exclude
or limit coverage for pre-exposure prophylaxis when dispensed or
administered by pharmacy personnel. As used in this subsection,
"pharmacy personnel" includes a pharmacist, as well as a pharmacy
intern or pharmacy technician acting under pharmacist supervision
in accordance with applicable law.

(3) This section does not require an insurer described in
subsection (1) to add coverage for pre-exposure prophylaxis or
related services furnished by an out-of-network provider.

(4) This section does not require an insurer described in
subsection (1) to cover all of the therapeutically equivalent
versions without prior authorization or step therapy, if at least 1
therapeutically equivalent version is covered without prior
authorization or step therapy.

(5) An insurer described in subsection (1) shall not subject
pre-exposure prophylaxis to prior authorization or step therapy
unless the United States Food and Drug Administration has approved
1 or more therapeutic equivalents of a drug, device, or product for
the prevention of HIV.

(6) As used in this section:
(a) "Cost sharing" means an enrollee's individual financial
responsibility associated with receiving specific services,
including copayments, coinsurance, and the application of a
deductible. Cost sharing does not include the payment of a premium.
(b) "HIV" means the human immunodeficiency virus.