



## KENTUCKY DRUG FORMULARY

*This Client Advisory provides important information for Gallagher Bassett clients with workers' compensation exposure in Kentucky. The Commissioner of the Kentucky Department of Workers' Claims has promulgated an administrative regulation (803 KAR 25:270) adopting the ODG by MCG Health pharmaceutical formulary for use in the treatment of work-related injuries and occupational disease. The establishment of a formulary was mandated by House Bill 2 of the 2018 session of the General Assembly.*

*Here is an overview of the new regulations and proposed actions to help you maintain compliance.*

### WHAT CLAIMS DOES THE DRUG FORMULARY APPLY TO AND WHEN DOES IT TAKE EFFECT?

The new drug formulary requirements will be effective on 7/1/19 for claims with a date of injury occurring on 1/1/19 or later.

#### For injuries and last exposures occurring prior to 1/1/19 the formulary guidelines will apply as follows:

- For a prescription that is not a refill prescription the formulary applies 7/1/19;
- For a refill prescription of a drug initially prescribed prior to 7/1/19, the formulary applies 1/1/20.

#### Timing

- All "N" class drugs dispensed on or after 7/1/19 for dates of injury 1/1/19 and after will require pre-authorization.
- For date of injuries prior to 1/1/19, all new "N" status drugs prescribed 7/1/19 or after will require pre-authorization as of 7/1/19.
- For date of injuries prior to 1/1/19, all "N" status drug refills prescribed prior to 7/1/19 will require pre-authorization as of 1/1/20.

#### Classification

The Kentucky Workers' Compensation Claims adopts the ODG drug formulary effective 7/1/19. The drug formulary does allow for reimbursement of an initial 7 day fill of a "Y" medication in the first 7 days following the date of injury, even if the carrier ultimately denies liability for the claim. The Drug Formulary is available to the public online at [www.odgbymcg.com/state-formulary](http://www.odgbymcg.com/state-formulary)

- Status "Y" defines it is a preferred drug
- Status "N" defines it is not a preferred drug
- "N" class drugs, compound medication, drugs dispensed for outpatient use by any person other than a pharmacist and any prescription drug not listed in the formulary require pre-authorization as of 7/1/19.

### WHY DID KENTUCKY ADOPT A DRUG FORMULARY?

House Bill 2 of the 2018 Session of the General Assembly required the commissioner of the Department of Workers' Claims to adopt a pharmaceutical formulary for medications prescribed for the cure of and relief from the effects of a work injury or occupational disease, and to promulgate administrative regulations to implement the formulary on or before 12/31/18. The purpose of the Kentucky formulary is to facilitate the safe and appropriate use of prescription drugs in the treatment of work-related injuries and occupational diseases.

### HOW WILL GB HELP CLIENT ORGANIZATIONS COMPLY WITH THE FORMULARY REGULATIONS?

Our Pharmacy Benefit Management (PBM) companies will identify prescriptions that are "N" status drugs, require prior authorization or compounds to ensure those prescriptions are not filled without appropriate review and authorization.

GB Utilization Review processes will comply with the Kentucky Workers' Compensation Commission guidelines and implement prospective reviews as required for drugs not allowed on the drug formulary.

Our resolution management system will generate alerts for GB Resolution Managers to facilitate compliance with the drug formulary regulations.

### ADDITIONAL INFORMATION

For additional information on the Drug Formulary you may review Gallagher Bassett's website at <https://www.gallagherbassett.com/managedcareplans-networks>, then click on the Kentucky icon. You will then be able to

access additional and detailed information, including a URL link to the Kentucky Department of Workers' Claims website. You may also contact your Account Manager at any time for additional information or questions.