

By: Nelson

S.B. No. 888

A BILL TO BE ENTITLED

1 AN ACT
2 relating to establishing a pill splitting program to reduce health
3 plan costs for certain public employees.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter E, Chapter 1551, Insurance Code, is
6 amended by adding Section 1551.225 to read as follows:

7 Sec. 1551.225. ESTABLISHMENT OF PILL SPLITTING PROGRAM.

8 (a) In this section:

9 (1) "Eligible prescription pill" means a prescription
10 medication delivered in pill form that is appropriate for
11 splitting, as determined under Subsection (c), and is listed on the
12 applicable drug formulary, if any, described by Section 1551.218.

13 (2) "Pill splitting" means dividing an eligible
14 prescription pill to obtain a prescribed dose.

15 (b) The board of trustees by rule shall design and establish
16 a voluntary pill splitting program. The pill splitting program
17 must:

18 (1) include a copayment reduction incentive for
19 individuals covered by the group benefits program who participate
20 in the pill splitting program; and

21 (2) require an individual who participates in the pill
22 splitting program to:

23 (A) obtain a prescription for an eligible
24 prescription pill authorizing pill splitting from the prescribing

1 physician before participating; and

2 (B) personally split the eligible prescription
3 pill.

4 (c) With the assistance of the advisory committee
5 established under Section 554.0055, Occupations Code, the board of
6 trustees shall:

7 (1) establish a list of eligible prescription pills;

8 (2) periodically update the list of eligible
9 prescription pills; and

10 (3) make the list of eligible prescription pills
11 available to all persons covered by a health benefit plan under the
12 group benefits program.

13 (d) The board of trustees shall report at least annually to
14 the Legislative Budget Board and the governor on the design of the
15 pill splitting program, the medications included on the list of
16 eligible prescription pills, participation in the program, and cost
17 savings resulting from the program.

18 SECTION 2. Subchapter D, Chapter 1575, Insurance Code, is
19 amended by adding Section 1575.171 to read as follows:

20 Sec. 1575.171. ESTABLISHMENT OF PILL SPLITTING PROGRAM.

21 (a) In this section:

22 (1) "Eligible prescription pill" means a prescription
23 medication delivered in pill form that is appropriate for
24 splitting, as determined under Subsection (c), and is listed on the
25 applicable drug formulary, if any, described by Section 1575.170.

26 (2) "Pill splitting" means dividing an eligible
27 prescription pill to obtain a prescribed dose.

1 (b) The trustee by rule shall design and establish a
2 voluntary pill splitting program. The pill splitting program must:

3 (1) include a copayment reduction incentive for
4 individuals covered by the group program who participate in the
5 pill splitting program; and

6 (2) require an individual who participates in the pill
7 splitting program to:

8 (A) obtain a prescription for an eligible
9 prescription pill authorizing pill splitting from the prescribing
10 physician before participating; and

11 (B) personally split the eligible prescription
12 pill.

13 (c) With the assistance of the advisory committee
14 established under Section 554.0055, Occupations Code, the trustee
15 shall:

16 (1) establish a list of eligible prescription pills;

17 (2) periodically update the list of eligible
18 prescription pills; and

19 (3) make the list of eligible prescription pills
20 available to all persons covered by a health benefit plan under the
21 group program.

22 (d) The trustee shall report at least annually to the
23 Legislative Budget Board and the governor on the design of the pill
24 splitting program, medications included on the list of eligible
25 prescription pills, participation in the program, and cost savings
26 resulting from the program.

27 SECTION 3. Subchapter C, Chapter 1579, Insurance Code, is

1 amended by adding Section 1579.109 to read as follows:

2 Sec. 1579.109. ESTABLISHMENT OF PILL SPLITTING PROGRAM.

3 (a) In this section:

4 (1) "Eligible prescription pill" means a prescription
5 medication delivered in pill form that is appropriate for
6 splitting, as determined under Subsection (c), and is listed on the
7 applicable drug formulary, if any, described by Section 1579.106.

8 (2) "Pill splitting" means dividing an eligible
9 prescription pill to obtain a prescribed dose.

10 (b) The trustee by rule shall design and establish a
11 voluntary pill splitting program. The pill splitting program must:

12 (1) include a copayment reduction incentive for
13 individuals covered by a health coverage plan under this subchapter
14 who participate in the pill splitting program; and

15 (2) require an individual who participates in the pill
16 splitting program to:

17 (A) obtain a prescription for an eligible
18 prescription pill authorizing pill splitting from the prescribing
19 physician before participating; and

20 (B) personally split the eligible prescription
21 pill.

22 (c) With the assistance of the advisory committee
23 established under Section 554.0055, Occupations Code, the trustee
24 shall:

25 (1) establish a list of eligible prescription pills;

26 (2) periodically update the list of eligible
27 prescription pills; and

1 (3) make the list of eligible prescription pills
2 available to all persons covered by a health coverage plan under the
3 uniform group coverage program.

4 (d) The trustee shall report at least annually to the
5 Legislative Budget Board and the governor on the design of the pill
6 splitting program, medications included in the list of eligible
7 prescription pills, participation in the program, and cost savings
8 resulting from the program.

9 SECTION 4. Subchapter C, Chapter 1601, Insurance Code, is
10 amended by adding Section 1601.111 to read as follows:

11 Sec. 1601.111. ESTABLISHMENT OF PILL SPLITTING PROGRAM.

12 (a) In this section:

13 (1) "Eligible prescription pill" means a prescription
14 medication delivered in pill form that is appropriate for
15 splitting, as determined under Subsection (c), and is listed on the
16 applicable drug formulary, if any, established for group health
17 benefit coverage under a uniform program.

18 (2) "Pill splitting" means dividing an eligible
19 prescription pill to obtain a prescribed dose.

20 (b) Each system by rule shall design and establish a
21 voluntary pill splitting program. The pill splitting program must:

22 (1) include a copayment reduction incentive for
23 individuals covered by a health benefit plan provided under this
24 chapter who participate in the program; and

25 (2) require an individual who participates in the
26 program to:

27 (A) obtain a prescription for an eligible

1 prescription pill authorizing pill splitting from the prescribing
2 physician before participating; and

3 (B) personally split the eligible prescription
4 pill.

5 (c) With the assistance of the advisory committee
6 established under Section 554.0055, Occupations Code, a system
7 shall:

8 (1) establish a list of eligible prescription pills;

9 (2) periodically update the list of eligible
10 prescription pills; and

11 (3) make the list of eligible prescription pills
12 available to all persons covered by a health benefit plan under a
13 uniform program.

14 (d) Each system shall report at least annually to the
15 Legislative Budget Board and the governor on the design of the pill
16 splitting program, medications included in the list of eligible
17 prescription pills, participation in the program, and cost savings
18 resulting from the program.

19 SECTION 5. The initial reports required by Sections
20 1551.225(d), 1575.171(d), 1579.109(d), and 1601.111(d), Insurance
21 Code, as added by this Act, are due not later than September 1,
22 2011.

23 SECTION 6. Subchapter A, Chapter 554, Occupations Code, is
24 amended by adding Section 554.0055 to read as follows:

25 Sec. 554.0055. PILL SPLITTING ADVISORY COMMITTEE. (a) The
26 board shall establish an advisory committee to recommend to a
27 governing body under Chapter 1551, 1575, 1579, or 1601, Insurance

1 Code, prescription pills that are appropriate for splitting and
2 would not be chemically destabilized or rendered therapeutically
3 ineffective if split.

4 (b) The advisory committee shall consist of:

5 (1) a pharmacist member of the board who serves as
6 presiding officer of the advisory committee;

7 (2) two community pharmacists;

8 (3) two health system pharmacists; and

9 (4) two physicians.

10 (c) The advisory committee shall develop and make available
11 for distribution to program participants under Chapter 1551, 1575,
12 1579, or 1601, Insurance Code, educational materials that must
13 include:

14 (1) plain-language instruction about safely and
15 effectively splitting an eligible prescription pill; and

16 (2) information about:

17 (A) pills that are eligible for splitting;

18 (B) characteristics of an individual suited to
19 participate in a pill splitting program; and

20 (C) ways to enroll and participate in a pill
21 splitting program.

22 (d) Section 2110.008, Government Code, does not apply to the
23 advisory committee.

24 SECTION 7. The changes in law made by this Act apply only to
25 health benefit plans provided under Chapters 1551, 1575, 1579, and
26 1601, Insurance Code, beginning with the 2009-2010 plan year. A
27 plan year before 2009-2010 is governed by the law as it existed

1 immediately before September 1, 2009, and that law is continued in
2 effect for that purpose.

3 SECTION 8. This Act takes effect immediately if it receives
4 a vote of two-thirds of all members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2009.