

By: Van de Putte

S.B. No. 1645

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a study of the feasibility of establishing separate
3 reimbursement under the Medicaid vendor drug program for certain
4 pharmacy care management services.

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

6 SECTION 1. DEFINITION. In this Act, "pharmacy care
7 management services" means services provided by a pharmacy to
8 support patients receiving treatment or therapy through a specialty
9 pharmacy drug or therapy and maximize adherence to the drug or
10 therapy, including:

11 (1) significant caregiver and provider contact and
12 education regarding the relevant disease, disease prevention and
13 treatment, and counseling related to drug indications, benefits,
14 risks, complications, and appropriate use of the prescribed drug or
15 therapy;

16 (2) patient compliance services, including
17 coordination of provider visits with delivery of the specialty drug
18 or therapy to the provider, compliance with the dosing regimen,
19 patient reminders, compilation of data, and assisting providers in
20 the development of compliance programs; and

21 (3) tracking services, including developing ordering
22 processes with a provider, screening referrals, and tracking a
23 patient's weight for dosing requirements.

24 SECTION 2. STUDY. (a) The Health and Human Services

1 Commission shall study the feasibility of establishing separate
2 reimbursement rates under the Medicaid vendor drug program for
3 pharmacies that provide pharmacy care management services to
4 patients who are administered specialty pharmacy drugs, including
5 drugs indicated for the prophylaxis of respiratory syncytial virus,
6 blood factor, or any other biologic or therapy that requires
7 complex care.

8 (b) In conducting the study under Subsection (a) of this
9 section, the Health and Human Services Commission shall consult
10 with the Centers for Medicare and Medicaid Services and may
11 consider the adoption of pharmacy care management services
12 reimbursement for pharmacy services adopted by other state Medicaid
13 programs.

14 (c) The Health and Human Services Commission shall seek
15 information from specialty pharmacy providers or other sources
16 regarding the costs of providing pharmacy care management services.

17 (d) Not later than September 1, 2010, the Health and Human
18 Services Commission shall submit a written report of the results of
19 the study conducted under Subsection (a) of this section to the
20 legislature.

21 SECTION 3. EFFECTIVE DATE. This Act takes effect
22 immediately if it receives a vote of two-thirds of all the members
23 elected to each house, as provided by Section 39, Article III, Texas
24 Constitution. If this Act does not receive the vote necessary for
25 immediate effect, this Act takes effect September 1, 2009.