

By: Van de Putte

S.B. No. 1645

A BILL TO BE ENTITLED

AN ACT

relating to reimbursement under the Medicaid vendor drug program for pharmacy care management services provided in connection with specialty pharmacy products.

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

SECTION 1. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.0464 to read as follows:

Sec. 32.0464. REIMBURSEMENT UNDER VENDOR DRUG PROGRAM FOR CERTAIN PHARMACY CARE MANAGEMENT SERVICES. (a) In this section:

(1) "Pharmacy care management services" means services provided by a pharmacy to support recipients of medical assistance receiving treatment or therapy through a specialty pharmacy product, including:

(A) significant caregiver and provider contact and education regarding the relevant disease, disease prevention and treatment, and drug indications and pharmacy counseling with regard to benefits, risks, complications, and appropriate use of the specialty pharmacy product;

(B) an explanation of existing guidelines to providers;

(C) recipient compliance services, including coordination of provider visits with delivery of the specialty pharmacy product to the provider, compliance with the dosing regimen, patient reminders, compilation of compliance data, and

1 assisting providers in development of a compliance program; and

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

5 (2) "Specialty pharmacy product" means a prescription
6 drug or therapy typically used to treat a chronic condition or
7 manage complex care issues, including:

8 (A) injection and infusion therapies;

9 (B) biotechnology drugs;

10 (C) high-cost therapies; and

11 (D) therapies requiring complex care.

12 (b) The department shall establish reimbursement rates
13 under the vendor drug program for pharmacies that provide pharmacy
14 care management services for recipients of medical assistance. The
15 reimbursement rates required by this subsection must be separate
16 from the reimbursement rates provided for the relevant specialty
17 pharmacy products.

18 (c) A pharmacy that seeks reimbursement under this section
19 shall provide verification that pharmacy care management services
20 were provided in connection with a specialty pharmacy product
21 provided by the pharmacy.

22 (d) The department shall consult with pharmacies that
23 provide pharmacy care management services to determine
24 reimbursement rates based on accurate costs of products, services,
25 and administrative costs described by this section.

26 SECTION 2. If before implementing any provision of this Act
27 a state agency determines that a waiver or authorization from a

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1 federal agency is necessary for implementation of that provision,
2 the agency affected by the provision shall request the waiver or
3 authorization and may delay implementing that provision until the
4 waiver or authorization is granted.

5 SECTION 3. This Act takes effect September 1, 2009.