

1-1 By: Van de Putte S.B. No. 1645  
1-2 (In the Senate - Filed March 10, 2009; March 20, 2009, read  
1-3 first time and referred to Committee on Health and Human Services;  
1-4 May 1, 2009, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; May 1, 2009, sent  
1-6 to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1645 By: Deuell

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to a study of the feasibility of establishing separate  
1-11 reimbursement under the Medicaid vendor drug program for certain  
1-12 pharmacy care management services.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. DEFINITION. In this Act, "pharmacy care  
1-15 management services" means services provided by a pharmacy to  
1-16 support patients receiving treatment or therapy through a specialty  
1-17 pharmacy drug or therapy and maximize adherence to the drug or  
1-18 therapy, including:

1-19 (1) significant caregiver and provider contact and  
1-20 education regarding the relevant disease, disease prevention and  
1-21 treatment, and counseling related to drug indications, benefits,  
1-22 risks, complications, and appropriate use of the prescribed drug or  
1-23 therapy;

1-24 (2) patient compliance services, including  
1-25 coordination of provider visits with delivery of the specialty drug  
1-26 or therapy to the provider, compliance with the dosing regimen,  
1-27 patient reminders, compilation of data, and assisting providers in  
1-28 the development of compliance programs; and

1-29 (3) tracking services, including developing ordering  
1-30 processes with a provider, screening referrals, and tracking a  
1-31 patient's weight for dosing requirements.

1-32 SECTION 2. STUDY. (a) The Health and Human Services  
1-33 Commission shall study the feasibility of establishing separate  
1-34 reimbursement rates under the Medicaid vendor drug program for  
1-35 pharmacies that provide pharmacy care management services to  
1-36 patients who are administered specialty pharmacy drugs, including  
1-37 drugs indicated for the prophylaxis of respiratory syncytial virus,  
1-38 blood factor, or any other biologic or therapy that requires  
1-39 complex care.

1-40 (b) In conducting the study under Subsection (a) of this  
1-41 section, the Health and Human Services Commission shall consult  
1-42 with the Centers for Medicare and Medicaid Services and may  
1-43 consider the adoption of pharmacy care management services  
1-44 reimbursement for pharmacy services adopted by other state Medicaid  
1-45 programs.

1-46 (c) The Health and Human Services Commission shall seek  
1-47 information from specialty pharmacy providers or other sources  
1-48 regarding the costs of providing pharmacy care management services.

1-49 (d) Not later than September 1, 2010, the Health and Human  
1-50 Services Commission shall submit a written report of the results of  
1-51 the study conducted under Subsection (a) of this section to the  
1-52 legislature.

1-53 SECTION 3. EFFECTIVE DATE. This Act takes effect  
1-54 immediately if it receives a vote of two-thirds of all the members  
1-55 elected to each house, as provided by Section 39, Article III, Texas  
1-56 Constitution. If this Act does not receive the vote necessary for  
1-57 immediate effect, this Act takes effect September 1, 2009.

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