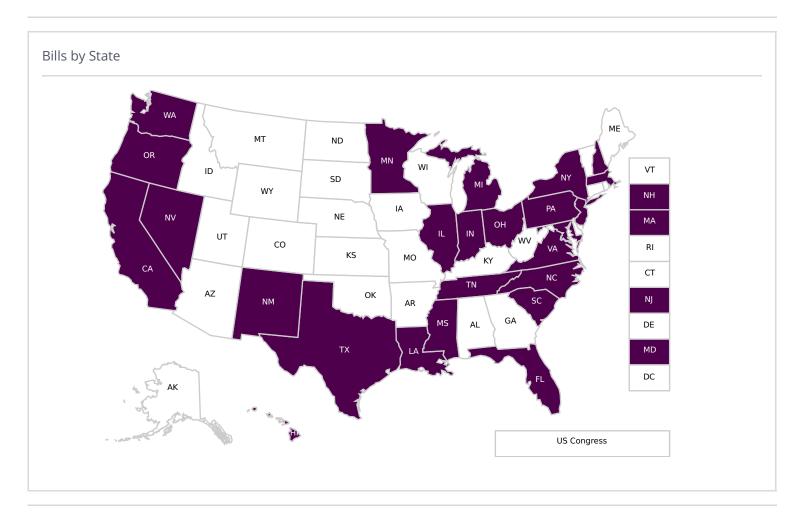


2019 Medicaid Reform Legislation

Last Updated: June 19, 2019



Bills by Issue Medicaid Reform (68) Last Action Status
May 16 Hearing Held In Committee And Under In Senate
Submission 2019 05 16

Position Support

Title

Medi-Cal: hypertension medication management services.

Description

SB 446, as amended, Stone. Medi-Cal: hypertension medication management services. Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing law provides for a schedule of benefits under the Medi-Cal program, which includes pharmacist services, subject to approval by the federal Centers for Medicare and Medicaid Services. Under existing law, covered pharmacist services include, but are not limited to, furnishing travel medications, initiating and administering immunizations, providing tobacco cessation counseling, and furnishing nicotine replacement therapy. This bill would additionally provide that hypertension medication management services are a covered pharmacist service under the Medi-Cal program, as specified.

Primary Sponsors Jeff Stone **Bill Summary:** Last edited by Allie Jo Shipman at Mar 8, 2019, 1:41 AM This bill provides that hypertension medication management services are a covered pharmacist service under the Medi-Cal program, as specified.

Labels: (Compensation for Services

Bill Number SB 642 Last Action Re Referred To Com On Health 2019 04 24 Status In Senate Position None

Title

Pharmacy benefit management: Prescription Acquisition and Adjudication Agency.

Description

SB 642, as amended, Stone. Public health. Pharmacy benefit management: Prescription Acquisition and Adjudication Agency. Existing law provides for the regulation of health care service plans by the Department of Managed Health Care. A willful violation of those provisions is a crime. Existing law, on and after January 1, 2020, prohibits a health care service plan from including in a contract with a pharmacy provider or its contracting agent a provision that prohibits the provider from informing a patient of a less costly alternative to a prescribed medication. Existing law requires a health care service plan that contracts with a pharmacy benefit manager for management of any or all of its prescription drug coverage to require the pharmacy benefit manager to comply with specified provisions, register with the department pursuant to those provisions, and exercise good faith and fair dealing in the performance of its contractual duties to a health care service plan. Existing law provides for the regulation of health insurers by the Department of Insurance. This bill would, on and after July 1, 2021, prohibit a health care service plan or a health insurer from entering into, renewing, or extending a contract for pharmacy benefit manager services, as defined. Because a violation of this prohibition by a health care service plan would be a crime, this bill would impose a state-mandated local program. This bill would create the Prescription Acquisition and Adjudication Agency, and would create an advisory board for that agency, as specified. The bill would require a division of the agency to offer pharmacy benefit manager services to health care service plans and health insurers, including adjudicated claim processing, negotiations for pharmaceutical discounts, and the creation of formularies for each plan or insurer, as specified. This bill would additionally require a separate division of the agency to negotiate with pharmaceutical manufacturers for discounts and rebates for those plans or insurers, and would require the agency to develop a closed bidding process for those negotiations. The bill would require an agreement between the agency and a health care service plan or health insurer to include provisions granting 10% of any rebate or of the difference between the market value and the price negotiated by the agency, or 100% of the rebate or difference if the agreement is with a Medi-Cal managed care plan, to be paid to the agency, and deposited in to the Pharmaceutical Discount Fund, and would make those funds available, upon appropriation by the Legislature, to the agency to fund its costs or for other programs to lower health care costs in the state. Existing constitutional provisions require that a statute that limits the r... (click bill link to see more).

Primary Sponsors Jeff Stone Last Action Died In Governmental Oversight And Accountability 2019 05 03 Status Failed Position None

Title

State Employees' Group Insurance Program:

Description

Requires procurements of certain contracts to be conducted simultaneously beginning in specified year; provides requirements for such contracts; requires HMOs to be negotiated on regional or statewide basis; authorizes international prescription services to be included in state group insurance program; requires department to offer international prescription services; requires DMS to use varying plan & network designs in prescription drug program; requires department to implement formulary management costsaving measures; provides requirements for such measures; requires department to enter into contracts with benefits consulting companies; ch. 99-255, Laws of Florida; removes provision that prohibits department from implementing restricted prescription drug formulary or prior authorization program in prescription drug program.

Primary Sponsors

M.L. Magar, House Committee on Appropriations

State	Bill Number	Last Action	Status	Position
HI	HB 116	Received Notice Of Passage On Final Reading	Passed Senate	None
		In House Hse Com No 883 2019 05 02		

Title

Relating To The State Budget.

Description

Appropriates funds for the operating budget of the Executive Branch for fiscal years 20192020 and 20202021. (HB116 CD1)

Primary Sponsors

Sylvia Luke

State

Bill Number HB 1442 Last Action Rule 19 A Re Referred To Rules Committee 2019 04 12 Status Failed sine die Position Support

Title

Ins Code-Birth Control

Description

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Provides that the Director of Public Health, if a physician licensed to practice medicine in all its branches in Illinois, shall establish a standing order complete with the issuance of a prescription for a hormonal contraceptive in accordance with the requirements of the provisions. Provides that if the Director is not a physician licensed to practice medicine in all its branches in Illinois, the Medical Director of the Department of Public Health shall establish the standing order. Amends the Illinois Insurance Code. Requires a group or individual policy of accident and health insurance or managed care plan to provide coverage for patient care services provided by a pharmacist. Makes conforming changes in the State Employees Group Insurance Act of 1971, the Counties Code, the Illinois Municipal Code, and the School Code. Amends the Pharmacy Practice Act. Provides that the definition of "practice of pharmacy" includes the dispensing of hormonal contraceptives pursuant to the standing order under provisions of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Amends the Illinois Public Aid Code. Requires the medical assistance program to cover patient care services provided by a pharmacist for hormonal contraceptives assessment and consultation. Effective January 1, 2020.

Primary Sponsors Michelle Mussman **Bill Summary:** Last edited by Allie Jo Shipman at Feb 6, 2019, 5:30 PM This bill changes the definition of the practice of pharmacy to allow a pharmacist to dispense a 12-month supply of hormonal contraceptives to a patient pursuant to a standing order. It also requires pharmacists to complete an ACPE-accredited training program prior to dispensing under the standing order. This bill requires certain health insurance plans to provide coverage for patient care services provided by a pharmacist for hormonal contraceptives assessment and consultation. It requires the state Medicaid program (both FFS and managed care) to cover these services at a rate of reimbursement of 85% of the physician fee schedule.

Labels: (Birth Control)(Compensation for Services	\mathbb{D}
Scope	of Practice			

Bill Number HB 3811 Last Action Referred To Rules Committee 2019 03 19 Status Failed sine die Position Support

Title

Ins Code-Birth Control

Description

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Provides that the Director of Public Health, if a physician licensed to practice medicine in all its branches in Illinois, shall establish a standing order complete with the issuance of a prescription for a hormonal contraceptive in accordance with the requirements of the provisions. Provides that if the Director is not a physician licensed to practice medicine in all its branches in Illinois, the Medical Director of the Department of Public Health shall establish the standing order. Provides that a pharmacist may dispense a 12month supply of hormonal contraceptives to a patient who is age 17 or older. Amends the Illinois Insurance Code. Requires a group or individual policy of accident and health insurance or managed care plan to provide coverage for patient care services provided by a pharmacist. Makes conforming changes in the State Employees Group Insurance Act of 1971, the Counties Code, the Illinois Municipal Code, and the School Code. Amends the Pharmacy Practice Act. Provides that the definition of "practice of pharmacy" includes the dispensing of hormonal contraceptives pursuant to the standing order under provisions of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Amends the Illinois Public Aid Code. Requires the medical assistance program to cover patient care services provided by a pharmacist for hormonal contraceptives assessment and consultation for patients who are age 17 or older. Effective January 1, 2020.

Primary Sponsors Mark Batinick

State

Bill Number HB 1249 Last Action First Reading Referred To Committee On Public Health 2019 01 10 Status Failed sine die Position Support

Title

Medicaid prescription drug program.

Description

Requires the office of the secretary of family and social services to provide a prescription drug benefit for a Medicaid recipient under: (1) the risk based managed care program; and (2) the healthy Indiana plan. (Current law allows the office or the managed care organization to provide the prescription drug benefit.)

Primary Sponsors

Bill Summary: Last edited by Allie Jo Shipman at Feb 1, 2019, 3:59 PM This bill would carve Medicaid prescription drug benefits out of managed care and require them to be administered by the state under fee-for-service.

Labels: Medicaid Carve-Out

anization to provid

Steve Davisson

This bill provides that a pharmacist may dispense a 12-month supply of hormonal contraceptives to a patient who is age 17 or older pursuant to a standing order. It also requires a group or individual policy of accident and health insurance or managed care plan to provide coverage for patient care services for hormonal contraceptives provided by a pharmacist.

Bill Summary: Last edited by Allie Jo Shipman at Mar 21, 2019, 11:59 AM

Labels: Birth Control Compensation for Services

Scope of Practice

State LA	Bill Number HB 557	_{Last Action} Read By Title Under The Rules Referred To The Committee On Insurance 2019 04 08	_{Status} Failed sine die	Position None	
Title PHARMACISTS: Pr Primary Sponsor Bernard LeBas	rovides relative to pharr s	macy reimbursement			
State LA	Bill Number SB 48	Last Action Title Of Substitute Read And Adopted Becomes Senate Bill No 239 2019 05 02	^{Status} Failed sine die	Position None	
Title MEDICAID: Provides relative to Medicaid pharmacy services. (8/1/19) Primary Sponsors T-Fred Mills					
State LA	Bill Number SB 239	Last Action Signed By The Governor Becomes Act No 263 2019 06 11	Status Enacted	Position None	
Title Labels: Medicaid Carve-Out Transparency and Disclosure MEDICAID: Provides relative to the Medicaid prescription drug benefit program. (8/1/19) (RE SEE FISC NOTE GF EX See Note) Hedicaid Carve-Out Transparency and Disclosure Primary Sponsors T-Fred Mills					
State MA	Bill Number H 3551	Last Action Hearing Scheduled For 04 11 2019 From 01 00 Pm 04 00 Pm In A 1 2019 04 04	Status) In House	Position None	
Title An Act to promote transparency and cost control of pharmaceutical drug prices Description By Mr. Tosado of Springfield, a petition (accompanied by bill, House, No. 3551) of José F. Tosado and others for legislation to promote transparency and cost control of pharmaceutical drug prices. Elder Affairs.					

State MA	Bill Number H 3800	Last Action Read Third 2019 04 22	_{Status} In House	Position None		
Title An Act making appropriations for the fiscal year 2020 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements Primary Sponsors House Committee on Ways and Means						
State MA	Bill Number H 3801	Last Action Passed To Be Engrossed See Roll Call 62 Yeas 40 Nays 0 2019 05 23	Status Passed Senate	Position None		
Title An Act making appropriations for the fiscal year 2020 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements						
State MA	Bill Number HD 1	Last Action Reported In Part By H 3800 2019 04 10	_{Status} In House	Position None		
Title An Act making appropriations for the fiscal year 2020 for the maintenance of the departments, boards, commissions, institutions, and certain activities of the Commonwealth, for interest, sinking fund, and serial bond requirements, and for certain permanent improvements						
Description A message from His Excellency the Governor submitting the annual budget of the Commonwealth for the fiscal year beginning July 1, 2019 (House, No. 1).						
Primary Sponsor Charles D. Baker	S					

State	Bill Number	Last Action	Status	Position
MA	S 2235	See H 3801 2019 05 23	In Senate	None

An Act making appropriations for the fiscal year 2020 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements

Description

Senate, May 23, 2019 – Text of the Senate amendment to the House Bill making appropriations for the fiscal year 2020 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 3801) (being the text of Senate, No. 3, printed as amended).

State MD	Bill Number HB 589	Last Action Approved By The Governor Chapter 534 2019 05 13	Status Enacted	Position None	
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Title

Maryland Medical Assistance Program and Managed Care Organizations That Use Pharmacy Benefits Managers – Audit and Professional Dispensing Fees

Description

Requiring the Maryland Medical Assistance Program to enter into a contract with an independent auditor as soon as practicable to conduct an audit of certain pharmacy benefits managers for the purpose of determining the amount of Medicaid funds used to reimburse managed care organization, pharmacy benefits managers, and pharmacies and the dollar amount of funds received by each respective party; requiring the Program to provide the results of the audit to the General Assembly on or before December 1, 2019; etc.

Primary Sponsors Erek Barron **Bill Summary:** Last edited by Allie Jo Shipman at May 20, 2019, 1:16 PM This bill requires the Maryland Medical Assistance Program to do an independent audit of the PBMs in Medicaid managed care. State

Bill Number HB 1324 Last Action First Reading House Rules And Executive Nominations 2019 02 15 Status Failed sine die Position Support

Title

Maryland Medical Assistance Program and Managed Care Organizations That Use Pharmacy Benefits Managers -Reimbursement Requirements

Description

Requiring the Maryland Medical Assistance Program to establish reimbursement levels, rather than maximum reimbursement levels, for certain drug products; requiring that certain minimum reimbursement levels be at least equal to the National Average Drug Acquisition Cost of the generic product plus a certain fee-forservice professional dispensing fee; providing that certain provisions of the Act apply to managed care organizations that use pharmacy benefits managers to manage prescription drug coverage; etc.

Primary Sponsors

Erek Barron

Bill Summary: Last edited by Allie Jo Shipman at Feb 21, 2019, 2:35 PM This bill would create a prescription drug reimbursement floor in Medicaid managed care of NADAC plus the Medicaid fee-for-service defined dispensing fee.

Labels: (Medicaid Reimbursement Floor

State	Bill Number	Last Action	Status	Position
MD	SB 497	Unfavorable Report By Education Health And	Failed sine die	Support
		Environmental Affairs 2019 03 11		

Title

Pharmacists - Aids for the Cessation of Tobacco Product Use -Prescribing and Dispensing

Description

Authorizing a pharmacist who meets the requirements of certain regulations to prescribe and dispense aids for the cessation of the use of tobacco products; requiring the State Board of Pharmacy, by September 1, 2020, to adopt certain regulations; requiring the Maryland Medical Assistance Program and the Maryland Children's Health Program to provide coverage for certain services rendered by a licensed pharmacist under the Act to the same extent as certain services rendered by any other licensed health care practitioner; etc.

Primary Sponsors Antonio Hayes **Bill Summary:** Last edited by Allie Jo Shipman at Feb 6, 2019, 9:21 PM This bill modifies the definition of "practice of pharmacy" to include prescribing and dispensing medications as an aid for tobacco use cessation. It also requires Maryland Medical Assistance Programs to provide coverage for pharmacist services rendered under this section to the same extent as services rendered by any other licensed health care practitioner.

Labels: Compensation for Services Coope of Practice

Tobacco Cessation)

State MD	Bill Number SB 1039	Last Action Unfavorable Report By Finance Withdrawn 2019 03 20	Status Failed sine die	Position None			
Organizations Tha	Title Labels: Medicaid Reimbursement Floor NADAC+ Maryland Medical Assistance Program and Managed Care Organizations That Use Pharmacy Benefits Managers - Reimbursement Requirements Reimbursement Requirements						
reimbursement le levels, for certain reimbursement le Drug Acquisition (service profession provisions of the J	hal dispensing fee; provi Act apply to managed ca s managers to manage	num reimbursement g that certain minimum the National Average uct plus a certain fee-for- ding that certain are organizations that use					
State MI	Bill Number HB 4235	Last Action Referred To Committee Of The Whole 2019 0 13	Status 6 In Senate	Position None			
Title Appropriations; zero budget; department of health and human services; provide for fiscal year 2019-2020. Creates appropriation act. Primary Sponsors Mary Whiteford							
State MN	Bill Number HF 2414	_{Last Action} Senate Conferees Benson Abeler Utke Jensen Marty 2019 05 01	Status Passed Senate	Position None			

Omnibus health and human services finance bill.

Primary Sponsors

Tina Liebling, Diane Loeffler, Jennifer Schultz

State MN	Bill Number HF 2791	Last Action Referred By Chair To Health And Human Services Finance Division 2019 04 01	Status Failed sine die	Position None			
drugs modified. Primary Sponsor	Medical assistance reimbursement provisions for direct injectable						
State MN	Bill Number SF 1778	Last Action Referred To Health And Human Services Finance And Policy 2019 02 27	Status Failed sine die	Position None			
modifications	Medical assistance (MA) drug payments governance provisions modifications Primary Sponsors						
State MN	Bill Number SF 2302	Last Action Comm Report To Pass As Amended And Re Refer To Health And Human Services Finance And Policy 2019 04 03	_{Status} Failed sine die	Position None			
Title Labels: NADAC+ Omnibus health and human services budget bill (governor's) Primary Sponsors John Marty							
State MN	Bill Number SF 2452	Last Action Rule 45 Amend Subst General Orders Hf 2414 2019 04 29	_{Status} Failed sine die	Position None			
Title Omnibus health and human services appropriations Primary Sponsors Michelle Benson, Jim Abeler							
State MN	Bill Number SF 2767	Last Action Referred To Health And Human Services Finance And Policy 2019 04 01	Status Failed sine die	Position None			
Title Injectable drugs reimbursement provisions modification Primary Sponsors							

Mark Koran, Chris Eaton

State MS	Bill Number HB 335	Last Action Died In Committee 201	19 02 05	Status Failed	Position Support
be traditional fee- Description An Act To Amend Provide That From Medicaid Beneficia Or Coordinated Ca Medicaid Shall Be Pharmacy Program	for-service. Section 43-13-117, And After July 1, 2 aries Participating I are Program Impler Administered By Tl M Of The Division, V s For The Benefician	haged care beneficiaries shall Mississippi Code Of 1972, To 019, Pharmacy Benefits For n Any Managed Care Program mented By The Division Of he Traditional Fee-For-Service With Retail Point-Of-Sale ries; And For Related	This bill would carve managed care and r fee-for-service	Medicaid prescript	ipman at Feb 1, 2019, 4:12 PM ion drug benefits out of administered by the state under
State NC	Bill Number HB 588	Last Action Ref To The Com On Fina Appropriations If Favora And Operations Of The	able Rules Calendar	^{Status} In House	Position None
Title 2019 Governor's E Primary Sponsors Donny Lambeth, Ja		McGrady, Johnson			
State NC	Bill Number SB 452	Last Action Re Ref Com On Appropr 2019 04 03	iations Base Budget	^{Status} In Senate	Position None
Title 2019 Governor's E Primary Sponsors Harry Brown, Kath	-	t Jackson			
State NH	Bill Number HB 659	Last Action Inexpedient To Legislate 10 P 14 2019 03 19	e Ma Vv 03 19 2019 Hj	_{Status} Failed	Position Support
Title relative to reportin Primary Sponsors Ed Butler	ng of internal pharr	naceutical costs.	This bill requires hea insurance commissio rebates, and PBM ac	alth carriers to annu oner. This data inclu	ipman at Feb 1, 2019, 4:17 PM ually report specific data to the udes spread pricing, drug

Status

Position

State

Bill Number

Last Action

State NJ	Bill Number A 2590	Last Action Introduced Referred To Asso Senior Services Committee 2		Status In Assembly	Position Support	
	caid managed care orga ate to dispense prescrip 's		This bill is an "any v care organizations covered medication The Senate compar	edited by Allie Jo Shipman a villing pharmacy" bill that re to allow all pharmacies in th ns if they accept the terms an nion to this bill is S 961.	quires Medicaid managed e state to fill for all	
State NJ	Bill Number A 5480	Last Action Introduced Referred To As Services Committee 2019 (Status In Assembly	Position None	
program to be pr Primary Sponsor	Title Requires prescription drug services covered under Medicaid program to be provided via fee-for-service delivery system. Primary Sponsors Joann Downey, Eric Houghtaling, Raj Mukherji					
State NJ	Bill Number A 5496	Last Action Introduced Referred To As Local Government Commit		Status In Assembly	Position None	
Title Requires pharmacy benefits manager under contract with SHBP and SEHBP to report price paid to pharmacy and amount charged to SHBP and SEHBP. Primary Sponsors Gary Schaer, Raj Mukherji						
State NJ	Bill Number A 5548	Last Action Introduced Referred To As Services Committee 2019 C	-	Status In Assembly	Position None	
	icy benefits manager pro n to disclose certain info s	-				

State NJ	Bill Number A 5600	Last Action Reported Out Of Assembly Reading 2019 06 17	v Committee 2nd	Status In Assembly	Position None
in federal funds for Primary Sponsors	or the State budget for fi	ds and \$16,748,645,972 scal year 2019-2020.			
State NJ	Bill Number S 728	Last Action Reported From Senate Co Substitute 2nd Reading 2		_{Status} In Senate	Position None
retroactive reduct	s managers to disclose c armacies. 5	to pharmacies; requires		rotections bursement Adjustments)
State NJ	Bill Number S 961	Last Action Introduced In The Senate I Health Human Services An Committee 2018 01 16		^{Status} In Senate	Position Support
			This bill is an "any w care organizations t covered medication The Assembly comp	o allow all pharmacies in th	equires Medicaid managed ne state to fill for all nd conditions of the MCO.
State NJ	Bill Number S 3787	_{Last Action} Introduced In The Senate Health Human Services A Committee 2019 05 20		^{Status} In Senate	Position None
	tion drug services cover ovided via fee-for-service				

State NJ	Bill Number S 3929	_{Last Action} Introduced In The Senate Health Human Services A Committee 2019 06 13		Status In Senate	Position None
	y benefits manager pro to disclose certain info				
State NM	Bill Number SB 184	Last Action Action Postponed Indefir	nitely 2019 02 08	_{Status} Failed	Position Support
TitleBill Summary: Last edited by Allie Jo Shipman at Feb 1, 2019, 4:37MEDICAID MANAGED CARE PHARMACEUTICAL BENEFITSThis bill would carve Medicaid prescription drug benefits out of managed care and require them to be administered by the state u fee-for-service.Primary Sponsors Jerry Ortiz y PinoLabels: Medicaid Carve-Out				rug benefits out of	
State NV	Bill Number SB 283	Last Action No Further Action Taken 20		^{Status} Failed sine die	Position None
NV SD 205 Note Hatel 2019 00 04 Failed sine die Note Title Revises provisions relating to prescription drugs. (BDR 38-114) Description AN ACT relating to prescription drugs; revising provisions concerning the administration of coverage of prescription drugs under the State Plan for Medicaid and the Children's Health Insurance Program; revising provisions governing restrictions imposed on the list of preferred prescription drugs to be used for the Medicaid program; revising the criteria for selecting prescription drugs for inclusion on that list; authorizing the Pharmacy and Therapeutics Committee to close certain meetings under certain circumstances; and providing other matters properly relating thereto. Primary Sponsors Yvanna Cancela, Pat Spearman, Julia Ratti Expendent					

State

Bill Number

Position Support

Title

Enacts into law major components of legislation necessary to implement the state health and mental hygiene budget for the 2019-2020 state fiscal year

Description

Enacts into law major components of legislation necessary to implement the state health and mental hygiene budget for the 2019-2020 state fiscal year; extends and enhances the Medicaid drug cap and reduces unnecessary pharmacy benefit manager costs to the Medicaid program (Part B); relates to extension of the National Diabetes Prevention Program (Part C); amends chapter 59 of the laws of 2011 in relation to extending the Medicaid global cap (Part D); extends certain provisions of the public health law and the social services law relating to health facilities, certified home health agencies, the general public health work program, state fund medical expenditures, hospital assessments, residential health care facilities, administrative costs, welfare reform, Medicaid, and special needs plans (Part E); extends certain provisions relating to excess coverage (Part F); relates to fiscal intermediary services for the consumer directed personal assistance program; relates to payments to home care aides; establishes a residential health care facilities case mix adjustment workgroup; and repeals certain provisions of the social services law relating thereto (Part G); relates to waivers of certain regulations and to certain rates and payment methodologies; and repeals certain provisions of the public health law relating thereto (Part H); relates to guaranteed availability of health insurance and coverage for pre-existing conditions (Subpart A); relates to actuarial value requirements and essential health benefits (Subpart B); relates to prescription drug coverage (Subpart C); prohibits discrimination based on sex and gender identity (Subpart D)(Part J); relates to the effectiveness of certain provisions relating to payments from the medical indemnity fund (Part K); includes iatrogenic infertility under in-vitro fertilization insurance coverage (Part L); requires medical, major medical, or similar comprehensive type coverage health insurance policies to include certain reproductive health coverage; and clarifies the definition of voluntary sterilization procedures and over-the-counter contraceptive products (Part M); relates to the general public health work program (Part O); relates to lead levels (Part P); relates to the healthcare facility transformation program state III authorizing additional awards for statewide II applications (Part Q); codifies the creation of NY state of health, the official health plan marketplace (Part T); relates to private pay protocols for programs and services administered by the office for the aging (Part U); implements certain compliance requirements on managed care organizations and providers participating in the Medicaid program (Part V); relates to the recovery of exempt income by the office of mental health for community res... (click bill link to see more).

Primary Sponsors

Joint 2016 General Budget Conference Committee

Bill Summary: Last edited by Allie Jo Shipman at Feb 1, 2019, 4:54 PM This bill limits payments to PBMs to the actual ingredient cost, a dispensing fee, and an administrative fee per claim in managed care. It prohibits PBM spread pricing in managed care and requires the PBM to report all sources of income to the health care plan, including rebates. This bill also requires PBMs to be licensed by the superintendent of insurance and to submit annual reports to the superintendent, and it provides additional oversight authority to the superintendent. The Senate companion to this bill is S 1507. (Budget Bill)

Labels: (Registration/Licensure) (Transparency and Disclosure

State	Bill Number	Last Action	Status	Position
NY	A 7196	Referred To Consumer Affairs And Protection	In Assembly	None
		2019 04 12		

Enacts the manufacturer disclosure and transparency act

Description

Enacts the manufacturer disclosure and transparency act requiring prescription drug manufacturers to notify the attorney general of agreements between pharmaceutical manufacturers resulting in the delay of the introduction of generic medications.

Primary Sponsors

Michael DenDekker

State	Bill Number	Last Action	Status	Position
NY	A 8117	Referred To Labor 2019 06 03	In Assembly	None

Title

Relates to contracted network pharmacy use

Description

Relates to contracted network pharmacy use.

Primary Sponsors

Harry Bronson

Bill Number

Position Support

Title

Enacts into law major components of legislation necessary to implement the state health and mental hygiene budget for the 2019-2020 state fiscal year

Description

Enacts into law major components of legislation necessary to implement the state health and mental hygiene budget for the 2019-2020 state fiscal year; extends and enhances the Medicaid drug cap and reduces unnecessary pharmacy benefit manager costs to the Medicaid program (Part B); relates to extension of the National Diabetes Prevention Program (Part C); amends chapter 59 of the laws of 2011 in relation to extending the Medicaid global cap (Part D); extends certain provisions of the public health law and the social services law relating to health facilities, certified home health agencies, the general public health work program, state fund medical expenditures, hospital assessments, residential health care facilities, administrative costs, welfare reform, Medicaid, and special needs plans (Part E); extends certain provisions relating to excess coverage (Part F); relates to fiscal intermediary services for the consumer directed personal assistance program; relates to payments to home care aides; establishes a residential health care facilities case mix adjustment workgroup; and repeals certain provisions of the social services law relating thereto (Part G); relates to waivers of certain regulations and to certain rates and payment methodologies; and repeals certain provisions of the public health law relating thereto (Part H); relates to guaranteed availability of health insurance and coverage for pre-existing conditions (Subpart A); relates to actuarial value requirements and essential health benefits (Subpart B); relates to prescription drug coverage (Subpart C); prohibits discrimination based on sex and gender identity (Subpart D)(Part J); relates to the effectiveness of certain provisions relating to payments from the medical indemnity fund (Part K); includes iatrogenic infertility under in-vitro fertilization insurance coverage (Part L); requires medical, major medical, or similar comprehensive type coverage health insurance policies to include certain reproductive health coverage; and clarifies the definition of voluntary sterilization procedures and over-the-counter contraceptive products (Part M); relates to the general public health work program (Part O); relates to lead levels (Part P); relates to the healthcare facility transformation program state III authorizing additional awards for statewide II applications (Part Q); codifies the creation of NY state of health, the official health plan marketplace (Part T); relates to private pay protocols for programs and services administered by the office for the aging (Part U); implements certain compliance requirements on managed care organizations and providers participating in the Medicaid program (Part V); relates to the recovery of exempt income by the office of mental health for community res... (click bill link to see more).

Primary Sponsors Senate Committee on Budget and Revenues **Bill Summary:** Last edited by Allie Jo Shipman at May 20, 2019, 1:02 PM This bill limits payments to PBMs to the actual ingredient cost, a dispensing fee, and an administrative fee per claim in managed care. It prohibits PBM spread pricing in managed care and requires the PBM to report all sources of income to the health care plan, including rebates. This bill also requires PBMs to be licensed by the superintendent of insurance and to submit annual reports to the superintendent, and it provides additional oversight authority to the superintendent. (Budget Bill)

Labels: (Registration/Licensure) (Transparency and Disclosure

State	Bill Number	Last Action	Status	Position
NY	S 5169	Referred To Consumer Protection 2019 04 12	In Senate	None

Enacts the manufacturer disclosure and transparency act

Description

Enacts the manufacturer disclosure and transparency act requiring prescription drug manufacturers to notify the attorney general of agreements between pharmaceutical manufacturers resulting in the delay of the introduction of generic medications.

Primary Sponsors

Alessandra Biaggi

State	Bill Number	Last Action	Status	Position
OH	HB 11	Re Referred Finance 2019 06 18	In House	None

Title

Regards tobacco cessation and prenatal initiatives

Description

To amend sections 5162.20, 5167.01, and 5167.12; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 5164.10 (5164.16); and to enact new section 5164.10 and sections 124.825, 3701.614, 3701.615, and 5164.17 of the Revised Code to address tobacco cessation and prenatal initiatives and to make an appropriation.

Primary Sponsors

Gayle Manning, Stephanie Howse

State	Bill Number	Last Action	_{Status}	Position
OR	HB 2679	Referred To Ways And Means By Order Of	In House	None
		Speaker 2019 04 11		

Title

Relating to bulk purchasing of prescription drugs; declaring an emergency.

Description

Directs administrator of Oregon Prescription Drug Program to cooperate with State of California in bulk purchase of prescription drugs. Requires administrator to solicit cooperation from California no later than December 31, 2019, and to report to interim committees of Legislative Assembly by December 1 of each year, beginning in 2020, on California's response to solicitation. Declares emergency, effective on passage. Bill Number HB 3093 _{Status} In House Position None

Title

Relating to the cost of prescription drugs.

Description

Requires pharmaceutical manufacturers to report to Department of Consumer and Business Services total cost of patient assistance programs and information on financial assistance provided to pharmacies, government agencies and advocacy organizations. Excludes proprietary information from disclosure on department's website. Requires state-sponsored programs that use pharmacy benefit managers to use fee-only pharmacy benefit managers. Requires insurers to post specified information regarding formulary, tiers and costs to insurer's website. Requires 60-day advance notice to enrollees adversely affected by change in formulary. Requires insurer and allows pharmacy to notify insured that if cash price for drug is less than insured's cost-share for drug, insured may pay cash price and expense must be counted toward deductible or out-of-pocket maximum. Requires hospitals and other medical providers to disclose in patient billing information regarding mark-up on price of drug. Also requires billing to disclose price of drug charged to specified state agencies and insurers. Requires specified state agencies to report to Legislative Assembly on high-cost drugs. Requires Oregon Health Authority to refer to Pharmacy and Therapeutics Committee any drug exceeding specified cost. Requires patient advocacy organization with budget exceeding \$50,000 that has registered lobbyist in this state to report to Oregon Government Ethics Commission and Oregon Health Authority specified information regarding funding received from participants in pharmaceutical supply chain. Requires pharmacy benefit managers to report to Department of Consumer and Business Services and plan sponsors specified information regarding rebates, reimbursements, fees and incentives paid for drugs by manufacturers, insurers and pharmacies. Requires drug advertisement to disclose wholesale price of drug.

Bill Number SB 872 Position None

Title

Relating to the cost of prescription drugs.

Description

Requires pharmaceutical manufacturers to report to Department of Consumer and Business Services total cost of patient assistance programs and information on financial assistance provided to pharmacies, government agencies and advocacy organizations. Excludes proprietary information from disclosure on department's website. Requires state-sponsored programs that use pharmacy benefit managers to use fee-only pharmacy benefit managers. Requires insurers to post specified information regarding formulary, tiers and costs to insurer's website. Requires 60-day advance notice to enrollees adversely affected by change in formulary. Requires insurer and allows pharmacy to notify insured that if cash price for drug is less than insured's cost-share for drug, insured may pay cash price and expense must be counted toward deductible or out-of-pocket maximum. Requires hospitals and other medical providers to disclose in patient billing information regarding mark-up on price of drug. Also requires billing to disclose price of drug charged to specified state agencies and insurers. Requires specified state agencies to report to Legislative Assembly on high-cost drugs. Requires Oregon Health Authority to refer to Pharmacy and Therapeutics Committee any drug exceeding specified cost. Requires patient advocacy organization with budget exceeding \$50,000 that has registered lobbyist in this state to report to Oregon Government Ethics Commission and Oregon Health Authority specified information regarding funding received from participants in pharmaceutical supply chain. Requires pharmacy benefit managers to report to Department of Consumer and Business Services and plan sponsors specified information regarding rebates, reimbursements, fees and incentives paid for drugs by manufacturers, insurers and pharmacies. Requires drug advertisement to disclose wholesale price of drug.

State **PA** Bill Number HB 941

Re Committed To Rules 2019 06 11

Last Action

Status In House Position None

Title

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for financial disclosures for pharmacy services.

Primary Sponsors Doyle Heffley

State	Bill Number	Last Action	Status	Position
PA	HB 945	Referred To Health 2019 06 18	In House	None

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for use of pharmacy benefits manager by medical assistance managed care organization.

Primary Sponsors

Steve Barrar

State PA	Bill Number SB 604	Last Action Referred To Education 2019 04 30	Status In Senate	Position None		
Title An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, establishing the Public School Employees' Benefit Board and providing for its powers and duties; requiring a school employee health benefits evaluation; providing for a health benefits program for public school employees; and establishing the Public School Employees' Benefit Trust Fund.						
State PA	Bill Number SB 639	Last Action Referred To Banking And Insurance 2019 05 1	Status 3 In Senate	Position None		
Title An Act providing for consumer prescription drug pricing disclosure, for pharmacy freedom to communicate and for enforcement by the Insurance Department.						
State SC	Bill Number H 3844	_{Last Action} Member S Request Name Added As Sponsor Rose 2019 03 11	^{Status} Failed sine die	Position Support		

Title

Pharmacy Access Act

Description

A Bill To Amend The Code Of Laws Of South Carolina, 1976, To Enact The "Pharmacy Access Act" By Adding Chapter 138 To Title 44 So As To Provide That Qualified Licensed Pharmacists May Prescribe And Administer Injectable Hormonal Contraceptives And Prescribe And Dispense Self-Administered Hormonal Contraceptives Under A Standing Prescription Drug Order, To Provide For Written Joint Protocol Provisions, And To Define Necessary Terms.

Primary Sponsors Todd Rutherford **Bill Summary:** Last edited by Allie Jo Shipman at Feb 7, 2019, 8:49 PM This bill allows pharmacists to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive pursuant to a standing order to a patient over the age of 18 or under 18 who has evidence of a previous prescription from a practitioner for a self-administered or injectable hormonal contraceptive. This bill also states that pharmacist services are a benefit under the state Medicaid program and requires the department to establish a fee schedule for the aforementioned pharmacist services at a reimbursement rate of 70% of the fee schedule for physician services. The Senate companion bill is S 448.

Labels: Birth Control Compensation for Services

State ΤN

Last Action Taken Off Notice For Cal In S C Life Health Insurance Subcommittee Of Insurance Committee 2019 04 03

Status Failed sine die Position Support

Title

Pharmacy, Pharmacists - As introduced, removes the use of statefunded pharmacy benefits managers; removes certain exemption under public records law. - Amends TCA Title 4; Title 8; Title 10; Title 56; Title 63; Title 68 and Title 71.

Primary Sponsors Bryan Terry

Bill Summary: Last edited by Allie Jo Shipman at Feb 7, 2019, 8:25 PM This bill would effectively carve Medicaid prescription drug benefits out of managed care and require them to be administered by the state under fee-for-service. The Senate companion bill is S 987.

Labels: (Medicaid Carve-Out

State TN	Bill Number	Last Action Comp Became Pub Ch 47	0 2019 05 29	Status Enacted	Position Support
Title Pharmacy, Pharmacists - As enacted, makes various changes to law concerning pharmacy benefits managers Amends TCA Title 56, Chapter 7, Part 31. Primary Sponsors Shane Reeves		 Bill Summary: Last edited by Allie Jo Shipman at Feb 6, 2019, 3:21 PM This bill amends provisions related to fair pharmacy audits to clarify that clerical errors are not prima facie evidence of fraud and to prohibit recoupment for the cost of the drug or dispensed product except in certain circumstances. This bill also prohibits claims adjudication fees unless apparent and assessed at the time of claims processing; prohibits contract terms requiring a pharmacist to dispense a drug to a patient; prohibits a PBM from notifying patients of the removal of a pharmacy from a network prior to notifying the pharmacy; and mandates PBMs notify network pharmacies of material changes to contract provisions at least 30 days prior to the effective date. This bill requires the state comptroller to perform an annual audit of PBMs providing services funded by the state. It also requires contract terms between PBMs and pharmacies to be mutually agreed upon; prohibits False or misleading advertisements or representation by PBMs; prohibits PBMs from reimbursing non-affiliated pharmacies less than it reimburses itself or affiliated pharmacies; and prohibits PBMs from designating a drug as a specialty drug based solely on cost. 			
State TN	Bill Number SB 987	Last Action Assigned To General Subcor Commerce And Labor Comn		_{Status} Failed sine die	Position Support
Title Pharmacy, Pharmacists - As introduced, removes the use of state- funded pharmacy benefits managers; removes certain exemption under public records law Amends TCA Title 4; Title 8; Title 10; Title			This bill would efference of managed care a	ectively carve Medicai	ipman at Feb 7, 2019, 8:25 PM d prescription drug benefits out e administered by the state anion bill is HB 1179.

under public records law. - Amends TCA Title 4; Title 8; Title 10; Title 56; Title 63; Title 68 and Title 71.

Labels: (Medicaid Carve-Out

Primary Sponsors Shane Reeves

State TX	Bill Number HB 3388	Last Action Conf Comm Report Distribu	ited 2019 05 25	Status Passed Senate	Position None
Medicaid and the Primary Sponso	eg Bonnen, Four Price, Co	am.	Labels: Medicaid	Carve-Out Patient P	Protections
State TX Title Relating to delive	Bill Number HB 3401 ery of outpatient prescrip	Last Action Withdrawn From Schedule		Status Failed sine die Carve-Out Patient P	Position None Protections
	nefit programs, includinş ram. rs				
State TX	Bill Number HB 3441	Last Action Effective On 9 1 19 2019	05 31	Status Enacted	Position Support
Title Relating to reimbursement under certain health benefit plans for certain services and procedures performed by pharmacists. Primary Sponsors Eddie Lucio, Charles Schwertner		This bill prohibits ar pharmacist for the p pharmacist's scope when provided by a assistant.	edited by Allie Jo Shipman n insurer from denying reir provision of a service or pr of practice if the service is physician, advanced pract	nbursement to a ocedure within the covered by the insurer	
State TX	Bill Number SB 1105	Last Action House Appoints Conferees 23	Reported 2019 05	Status Passed House	Position None
Title					

Medicaid managed care.

Primary Sponsors Lois Kolkhorst, James Frank, Stephanie Klick

Relating to the administration and operation of Medicaid, including

State TX	Bill Number SB 2262	Last Action Referred To Finance 2019 03 21	Status Failed sine die	Position None
	nefit programs, includir am.	Labels: 🚺	Aedicaid Carve-Out	
State TX	Bill Number SB 2267	Last Action Referred To Finance 2019 03 21	_{Status} Failed sine die	Position None
Title Relating to the pr managed care. Primary Sponsor Lois Kolkhorst		Labels: 🚺	Aedicaid Carve-Out	
State VA	Bill Number HB 1700	Last Action Governor Acts Of Assembly Chapter Te 0854 2019 05 02	status ext Chap Enacted	Position Support
Title Budget Bill. Description Budget Bill. Amends Chapter 2, 2018 Special Session I Acts of Assembly. Primary Sponsors Chris Jones		This bill req quarterly re claims-level copayments requires an processing o third party a similar infor benefits and differences TPA by the F	itemization of all administrati charges associated with each administrators for state emplo mation to state employees th d to provide aggregate data to	organizations to provide harmacy claims. It requires ment, dispensing fees, the plan sponsor (state). It also ive fees, rebates, and claim. This bill also requires oyee health plans to provide trough an explanation of the state related to the es by the PBM, charged to the

Bill Number HB 2516

Title

Health insurance rate reviews; pharmacy benefit price spread.

Description

Health insurance rate reviews; minimum anticipated loss ratios; and the set of the state of the ph un tin C СС pl Tł e> b pl C re he рі рі

Bill Summary: Last edited by Allie Jo Shipman at Feb 1, 2019, 5:19 PM This bill requires health insurance issuers to apply any price spread by a PBM as an administrative cost and not a health benefit for the purposes of calculating the anticipated loss ratio. It allows only the amount paid to the pharmacy to be counted as a health benefit.

Status

Commission (Co contract betwee pharmacy bene The measure re excluded from t benefit plan wh plan's anticipate Commission's re requirement tha health benefit p	ommission) to treat to en the issuer of a hea fits manager as an a quires the issuer's a he amount of benef en the Commission ed loss ratio. The me egulations promulga at it review and appr lans, including the re ealth benefit plan ar ged.	the price spread on any alth benefit plan and its dministrative cost of the issuer. dministrative costs to be its provided under a health determines the health benefit asure codifies portions of the ited to implement the ove the premium rates for equirement that the benefits e reasonable in relation to the	Labels: MLR	Transparency and D	isclosure
State WA	Bill Number HB 1108	Last Action Public Hearing In The House Appropriations At 3 30 Pm 2		_{Status} Failed sine die	Position Support
Title Making 2017-2019 biennium second supplemental operating appropriations. Primary Sponsors Timm Ormsby		l supplemental operating	This bill requires drug-specific info to pharmacies fo (state), and indiv It also requires r preferred drug li Bill)	managed care organizati ormation to the state, incl or dispensed drugs, the co idual rebates collected fo nanaged care organizatio	man at Feb 1, 2019, 5:23 PM fons to report prescription uding the actual amounts paid ost invoiced to the health plan r prescription drugs dispensed. ns to use a state-established panion bill is S 5154. (Budget
State WA	Bill Number SB 5154	_{Last Action} Public Hearing In The Senat Ways Means At 3 30 Pm 201		Status Failed sine die	Position Support
Title Making 2017-2019 biennium second supplemental operating appropriations. Primary Sponsors Christine Rolfes			This bill requires drug-specific info to pharmacies fo (state), and indiv It also requires n preferred drug li Bill)	managed care organizati ormation to the state, incl or dispensed drugs, the co idual rebates collected fo nanaged care organizatio	man at Feb 1, 2019, 5:24 PM ions to report prescription uding the actual amounts paid ost invoiced to the health plan r prescription drugs dispensed. ns to use a state-established oanion bill is HB 1108. (Budget

