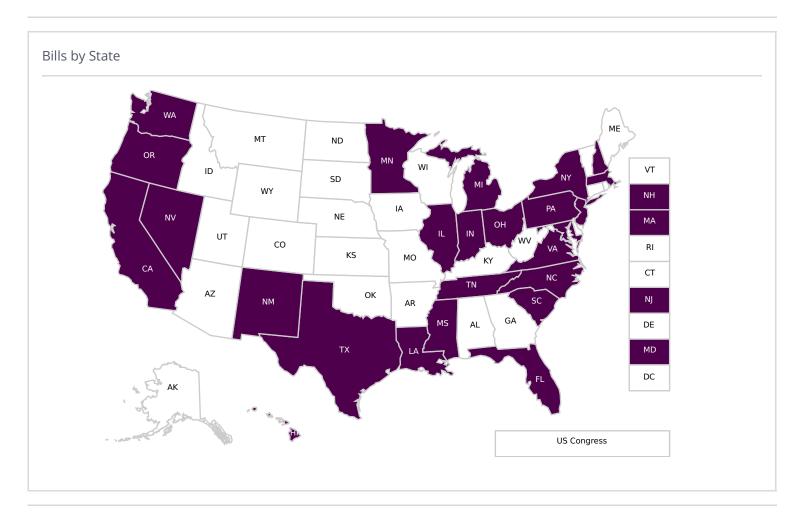


2019 Medicaid Reform Legislation

Last Updated: June 27, 2019



Bills by Issue Medicaid Reform (69) 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	Act 113 06 21 2019 Gov Msg No 1215 2019 06	Enacted	None
		25		

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: Provid (8/1/19) Primary Sponsor T-Fred Mills	des relative to Medicaid s	pharmacy services.			
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) Medicaid 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						
budget of the Cor						
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			
	-	of health and human). Creates appropriation					
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			
Title Medical assistance modifications Primary Sponsor Michelle Benson	ce (MA) drug payments ş rs	governance provisions					
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 Omnibus health Primary Sponsor John Marty	and human services buo 's	Labels: NADAC+	\supset				
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 i Primary Sponsor	reimbursement provisio 's	ns modification					

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		Bill Summary: Last edited by Allie Jo Shipman at Feb 1, 2019, 4:35 PM This bill is an "any willing pharmacy" bill that requires Medicaid managed care organizations to allow all pharmacies in the state to fill for all covered medications if they accept the terms and conditions of the MCO. The Senate companion to this bill is S 961. Labels: Patient Protections		
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	otion drug services cove ovided via fee-for-servic s ric Houghtaling, Raj Muk	e delivery system.			
State NJ	Bill Number A 5496	Last Action Introduced Referred To As Local Government Commit		Status In Assembly	Position None
	port price paid to pharm BP. s	der contract with SHBP acy and amount charged			
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 Substituted By S 2020 20	019 06 20	Status In Assembly	Position None
in federal fu Primary Spo	nds for the State budget	e funds and \$16,748,645,972 for fiscal year 2019-2020.			
State NJ	Bill Number S 728	Last Action Substituted By A 3717	2 R 2019 06 20	_{Status} In Senate	Position None
retroactive r pharmacy b information Primary Spc	enefits managers to disclute to pharmacies.	ents to pharmacies; requires		Protections)	ents
State NJ	Bill Number S 961	^{Last Action} Introduced In The Senat Health Human Services Committee 2018 01 16		_{Status} In Senate	Position Support
TitleBill Summary: Last edited by Allie Jo Shipman at Feb 1, 2019, 4:35 PMRequires all Medicaid managed care organization to permit all pharmacies in State to dispense prescriptions for all covered medications.This bill is an "any willing pharmacy" bill that requires Medicaid manage care organizations to allow all pharmacies in the state to fill for all covered medications if they accept the terms and conditions of the MC The Assembly companion to this bill is A 2590.Primary Sponsors Joe Vitale, Vin GopalLabels: Patient Protections					that requires Medicaid managed es in the state to fill for all erms and conditions of the MCO.
State NJ	Bill Number S 3787	Last Action Introduced In The Sena Health Human Services Committee 2019 05 20		Status In Senate	Position None
	escription drug services c be provided via fee-for-se				

Primary Sponsors Vin Gopal

State NJ	Bill Number S 3929	_{Last Action} Introduced In The Sena Health Human Services Committee 2019 06 13		^{Status} In Senate	Position None
	gram to disclose certainsors	er providing services within in formation to DHS.			
State NJ	Bill Number S 4007	^{Last Action} Introduced In The Sena Health Human Services Committee 2019 06 24		^{Status} In Senate	Position None
	ne for treatment of chr nsors	ists to provide for coverage of ronic pain.			
State NM	Bill Number SB 184	Last Action Action Postponed Inde	efinitely 2019 02 08	_{Status} Failed	Position Support
Title MEDICAID MA Primary Spor Jerry Ortiz y P		ACEUTICAL BENEFITS	This bill would carve	e Medicaid prescripti require them to be a	oman at Feb 1, 2019, 4:37 PM on drug benefits out of dministered by the state under
State NV	Bill Number SB 283	Last Action No Further Action Taken	2019 06 04	_{Status} Failed sine die	Position None
Description AN ACT relatin concerning th under the Sta Insurance Pro	ng to prescription drug ne administration of co ite Plan for Medicaid a ogram; revising provisi	ription drugs. (BDR 38-114) gs; revising provisions overage of prescription drugs nd the Children's Health ons governing restrictions escription drugs to be used for			

under certain circumstances; and providing other matters properly relating thereto.

Primary Sponsors Yvanna Cancela, Pat Spearman, Julia Ratti 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
ОН	HB 11	Introduced 2019 06 24	In Senate	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.

Position **None**

Title

Relating to the cost of prescription drugs.

Description

Requires pharmaceutical manufacturers to report to Department of Consumer and Business Services total amount of money spent on patient assistance programs, information on financial assistance provided to pharmacies, government agencies and advocacy organizations and total amount of financial incentives paid to each pharmacy benefit manager. Requires pharmaceutical manufacturers to report to Department of Consumer and Business Services total cost of] amount of money spent on patient assistance programs, and] information on financial assistance provided to pharmacies, government agencies and advocacy organizations and total amount of financial incentives paid to each pharmacy benefit manager. Excludes proprietary information from disclosure on department's website.] Exempts from public disclosure information reported to department until department posts to website all information reported by manufacturer. 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 for small employer and individual health benefit plans to insurer's website. Requires 60-day advance notice to department and to enrollees adversely affected by change in formulary. Requires insurer and allows pharmacy to notify insured that if cash] retail price for drug is less than insured's cost-share] out-ofpocket cost for drug using pharmacy benefit, insured may pay cash] retail price and expense must be counted] if requested by enrollee, insurer must count cost toward deductible or out-ofpocket maximum. Requires State Board of Pharmacy to prescribe by rule notice of enrollee's rights for distribution to pharmacy customers and to translate notice into multiple languages. 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] report to Oregon Health Authority information regarding 50 most prescribed drugs and 50 most expensive drugs prescribed by provider. 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] annual gross receipts 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 info... (click bill link to see more).

State	Bill Number	Last Action	Status	Position
PA	HB 941	Re Committed To Rules 2019 06 11	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 financial disclosures for pharmacy services.

Primary Sponsors

Doyle Heffley

State PA	Bill Number HB 945	Last Action Referred To Health 2019 06 18	^{Status} In House	Position None
the Human	Services Code, in public a enefits manager by medi	1967 (P.L.31, No.21), known as assistance, providing for use of ical assistance managed care		
Primary Spo Steve Barran				
State PA	Bill Number SB 604	Last Action Referred To Education 2019 04 30	_{Status} In Senate	Position None
Consolidate Benefit Boai school empl penefits pro	rd and providing for its p oyee health benefits eva	he Public School Employees' owers and duties; requiring a luation; providing for a health mployees; and establishing the		
			Status	Position

for pharmacy freedom to communicate and for enforcement by the Insurance Department.

State SC	Bill Number H 3844	Last Action Member S Request Name Ad Rose 2019 03 11	dded As Sponsor	_{Status} Failed sine die	Position Support
TitlePharmacy Access ActDescriptionA Bill To Amend The Code Of Laws Of South Carolina, 1976, ToEnact The "Pharmacy Access Act" By Adding Chapter 138 To Title 44So As To Provide That Qualified Licensed Pharmacists MayPrescribe And Administer Injectable Hormonal Contraceptives AndPrescribe And Dispense Self-Administered HormonalContraceptives Under A Standing Prescription Drug Order, ToProvide For Written Joint Protocol Provisions, And To DefineNecessary Terms.Primary SponsorsTodd 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 TN	Bill Number HB 1179	Last Action Taken Off Notice For Cal In S Insurance Subcommittee Of Committee 2019 04 03		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 56; Title 63; Title 68 and Title 71. Primary Sponsors			This bill would eff of managed care under fee-for-ser	fectively carve Medicaid p	man at Feb 7, 2019, 8:25 PM prescription drug benefits out administered by the state non bill is S 987.

Bryan Terry

State TN	Bill Number SB 650	Last Action Comp Became Pub Ch 47	0 2019 05 29	Status Enacted	Position Support
-	oharmacy benefits mana art 31. nsors	, makes various changes to law agers Amends TCA Title 56,	This bill amends p clerical errors are recoupment for t certain circumsta unless apparent a contract terms re prohibits a PBM f from a network p notify network ph least 30 days pric comptroller to pe funded by the sta pharmacies to be advertisements o to make payment the pharmacy we reimbursing non- affiliated pharma specialty drug ba	provisions related to fair e not prima facie evidence he cost of the drug or di nces. This bill also prohi and assessed at the time quiring a pharmacist to from notifying patients of rior to notifying the pha- harmacies of material ch or to the effective date. The reform an annual audit of the the annual audit of the tasso requires contri- er mutually agreed upon; or representation by PBM to to pharmacies remover re properly rendered; p caffiliated pharmacies le cies; and prohibits PBM to solely on cost.	man at Feb 6, 2019, 3:21 PM r pharmacy audits to clarify that ce of fraud and to prohibit ispensed product except in ibits claims adjudication fees e of claims processing; prohibits dispense a drug to a patient; of the removal of a pharmacy armacy; and mandates PBMs hanges to contract provisions at this bill requires the state of PBMs providing services ract terms between PBMs and prohibits false or misleading Ms; prohibits PBMs from failing ed from a network if services by rohibits PBMs from ss than it reimburses itself or s from designating a drug as a
State TN	Bill Number SB 987	Last Action Assigned To General Subcon Commerce And Labor Comn		_{Status} Failed sine die	Position Support
funded phar under public	macy benefits manager records law Amends Fitle 68 and Title 71. nsors	ced, removes the use of state- s; removes certain exemption TCA Title 4; Title 8; Title 10; Title	This bill would eff of managed care under fee-for-ser	fectively carve Medicaid	man at Feb 7, 2019, 8:25 PM prescription drug benefits out administered by the state nion bill is HB 1179.
State TX	Bill Number HB 3388	Last Action Conf Comm Report Distrib	uted 2019 05 25	Status Passed Senate	Position None
Medicaid and Primary Spo J.D. Sheffield			Labels: Medica	aid Carve-Out Pati	ent Protections

State TX	Bill Number HB 3401	Last Action Withdrawn From Schedule	2019 04 03	_{Status} Failed sine die	Position None
	nefit programs, includin; ram. rs	otion drug benefits under g Medicaid and the child	Labels: Medicai	d Carve-Out Patie	ent Protections
State TX	Bill Number HB 3441	Last Action Effective On 9 1 19 2019	9 05 31	Status Enacted	Position Support
	and procedures perform rs	health benefit plans for ed by pharmacists.	This bill prohibits a pharmacist for the pharmacist's scope when provided by assistant.	n insurer from denying provision of a service o of practice if the servic	
State TX	Bill Number SB 1105	Last Action House Appoints Conferees 23	Reported 2019 05	status Passed House	Position None
Medicaid manag Primary Sponso	ed care.	tion of Medicaid, including ick			
State TX	Bill Number SB 2262	Last Action Referred To Finance 2019	03 21	_{Status} Failed sine die	Position None
-	nefit programs, includin ram.	otion drug benefits under g Medicaid and the child	Labels: Medicai	d Carve-Out	

State TX	Bill Number SB 2267	Last Action Referred To Finance 201		ailed sine die	Position None
Title Relating to the managed care. Primary Spons Lois Kolkhorst		y benefits through Medicaid	Labels: Medicaid	Carve-Out	
State VA	Bill Number HB 1700	Last Action Governor Acts Of Asser 0854 2019 05 02	nbly Chapter Text Chap	Status Enacted	Position Support
Title Budget Bill. Description Budget Bill. Am Assembly. Primary Spons Chris Jones		Special Session I Acts of	This bill requires Mer quarterly reports to claims-level data on copayments, and the requires an itemizati processing charges a third party administr similar information t benefits and to provi differences in amoun TPA by the PBM, and	dicaid managed care the state related to p drug cost reimburser amount charged to on of all administrati associated with each rators for state employ o state employees the ide aggregate data to nts paid to pharmacie	man at Feb 1, 2019, 5:10 PM 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 byee health plans to provide through an explanation of the state related to the es by the PBM, charged to the e by the TPA. (Budget Bill)
State	Bill Number	Last Action		Status	Position

VA

HB 2516

House Left In Commerce And Labor 2019 02 05 Failed

Support

Title

Health insurance rate reviews; pharmacy benefit price spread.

Description

Health insurance rate reviews; minimum anticipated loss ratios; pharmacy benefit price spread. Requires the State Corporation Commission (Commission) to treat the price spread on any contract between the issuer of a health benefit plan and its pharmacy benefits manager as an administrative cost of the issuer. The measure requires the issuer's administrative costs to be excluded from the amount of benefits provided under a health benefit plan when the Commission determines the health benefit plan's anticipated loss ratio. The measure codifies portions of the Commission's regulations promulgated to implement the requirement that it review and approve the premium rates for health benefit plans, including the requirement that the benefits provided by a health benefit plan are reasonable in relation to the premiums charged.

Primary Sponsors Keith Hodges

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.

Labels: (MLR Transparency and Disclosure

State WA	Bill Number HB 1108	Last Action Public Hearing In The Hou Appropriations At 3 30 Pr		_{Status} Failed sine die	Position Support
Title Making 2017-2019 biennium second supplemental operating appropriations. Primary Sponsors Timm Ormsby			Bill Summary: Last edited by Allie Jo Shipman at Feb 1, 2019, 5:23 PM This bill requires managed care organizations to report prescription drug-specific information to the state, including the actual amounts paid to pharmacies for dispensed drugs, the cost invoiced to the health plan (state), and individual rebates collected for prescription drugs dispensed. It also requires managed care organizations to use a state-established preferred drug list (PDL). The Senate companion bill is S 5154. (Budget Bill) Labels: Transparency and Disclosure		
State WA	Bill Number SB 5154	Last Action Public Hearing In The Ser Ways Means At 3 30 Pm 2		_{Status} Failed sine die	Position Support
Title Making 2017-2019 biennium second supplemental operating appropriations. Primary Sponsors Christine Rolfes			Bill Summary: Last edited by Allie Jo Shipman at Feb 1, 2019, 5:24 PM This bill requires managed care organizations to report prescription drug-specific information to the state, including the actual amounts paid to pharmacies for dispensed drugs, the cost invoiced to the health plan (state), and individual rebates collected for prescription drugs dispensed. It also requires managed care organizations to use a state-established preferred drug list (PDL). The House companion bill is HB 1108. (Budget Bill) Labels: Transparency and Disclosure		

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