

By: Van de Putte

S.B. No. 1645

A BILL TO BE ENTITLED

# 1 AN ACT

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

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

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

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

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

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

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

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

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

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

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