

## 2018 STATE LEGISLATIVE WINS

*As of August 31, 2018*

### SCOPE OF PRACTICE AND COMPENSATION FOR SERVICES

**Colorado** passed legislation mandating a pharmacy administering injectable medication-assisted treatment for substance use disorders under a collaborative practice agreement be compensated for that service.

**Kentucky** passed legislation establishing a pilot program to create a community pharmacy care delivery model for medication-assisted therapy for treatment of substance abuse.

**Idaho** passed legislation allowing pharmacists to perform therapeutic substitutions under certain conditions.

**Colorado** passed legislation requiring health benefit plans to cover health care services provided by a pharmacist in health professional shortage areas if certain conditions are met.

**Iowa** and **Maine** passed legislation allowing pharmacists to prescribe and dispense naloxone in accordance with established protocols.

**Iowa** passed legislation allowing pharmacists to prescribe nicotine replacement tobacco cessation products under statewide protocol.

**Iowa, Mississippi, and New York** passed legislation expanding pharmacists' authority to administer immunizations.

**Utah** passed legislation allowing a pharmacist to dispense self-administered hormonal contraceptives under a standing prescription drug order.

**Washington, DC** passed legislation allowing pharmacists to prescribe and dispense certain contraceptives pursuant to established protocols and requiring insurers for Medicaid and DC Healthcare Alliance programs to cover the cost of the medication and service provided.

**Maryland** passed legislation allowing pharmacists to fill up to a 90 day supply of a medication, provided the quantity remaining on the prescription is not less than 90 days and certain other conditions are met.

**Georgia** passed legislation allowing pharmacists to administer all point-of-care tests cleared by the FDA for home use when testing for disease and/or drug use.

### REGISTRATION AND LICENSURE

**Alaska, Arkansas, Florida, New Jersey, and Tennessee** passed legislation requiring PBMs to register with the state prior to operating or conducting business in the state.

### FAIR PHARMACY AUDITS

**Alabama, Alaska, and New York** passed legislation creating and/or strengthening the state's fair pharmacy audit provisions.

## **TRANSPARENCY AND DISCLOSURE**

**Arkansas** passed legislation permitting the insurance commissioner to review and approve a PBM's compensation program to ensure reimbursement for pharmacy services is fair and reasonable.

**Alaska, Florida, and Maryland** passed legislation requiring certain disclosures and transparency related to multi-source generic drug pricing.

**Kentucky** passed legislation requiring PBMs that contract with a Medicaid managed care organization to disclose certain information to the Department for Medicaid Services. The legislation also gives the department authority to review and approve contracts and set reimbursement rates between a PBM and a pharmacy administering Medicaid prescription drug benefits.

**Louisiana** passed legislation requiring PBMs to submit an annual transparency report to the Commissioner of Insurance as a condition of maintaining licensure.

**Georgia, Louisiana, and Virginia** passed legislation requiring PBMs and/or managed care organizations and plan sponsors to disclose certain information related to pharmacy claims in Medicaid and/or other state health benefit plans.

## **PHARMACY PATIENT PROTECTIONS**

**Arkansas** and **New Hampshire** passed legislation prohibiting PBMs from requiring accreditation standards or certification requirements pharmacies beyond those required by the state board of pharmacy.

**Mississippi, New Hampshire, and Virginia** passed legislation requiring prorated copays and prohibiting prorated dispensing fees related to medication synchronization.

**Alaska, Arizona, Arkansas, Colorado, Florida, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Mississippi, Missouri, New York, South Carolina, South Dakota, Utah, Virginia, and West Virginia** passed legislation protecting a pharmacy and/or pharmacist when they are providing information to a patient about alternative medications and/or alternative purchasing options that would result in a lower cost to the patient.

**Alaska, Arizona, Colorado, Florida, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Missouri, New York, South Carolina, Utah, and Virginia** passed legislation preventing PBMs from charging a patient a copay greater than the cost of the drug.

**South Carolina and Virginia** passed legislation prohibiting fees related to claim adjudication unless certain conditions are met.

## **CONTROLLED SUBSTANCES**

**Louisiana and Tennessee** passed legislation allowing for partial fills of Schedule II controlled substances.

**Arizona, Colorado, Michigan, and Virginia** passed legislation requiring providers to check the state prescription drug monitoring program under certain conditions prior to writing a prescription for opioids.

**Colorado** passed legislation limiting days supply allowed for initial opioid prescriptions.

Note: This document is intended to be a brief overview of state legislative victories on certain issues. This document is geared toward NCPA priority issues and does not include all community pharmacy-specific issues that were passed during the 2018 state legislative sessions. Please contact Allie Jo Shipman at [alliejo.shipman@ncpanet.org](mailto:alliejo.shipman@ncpanet.org) with any questions or requests for more details.