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## A BILL FOR AN ACT

RELATING TO MEDICATION SYNCHRONIZATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that more than twenty-  
2 three per cent of Americans currently use three or more  
3 prescription medications, and eleven per cent of Americans take  
4 five or more medications. According to the most recent data  
5 from the Centers for Disease Control and Prevention, the costs  
6 of treating patients with chronic diseases account for eighty-  
7 six per cent of all health care costs in the United States.  
8 However, only fifty per cent of those on maintenance medications  
9 for chronic diseases adhere to their prescription therapies.

10           The legislature recognizes that studies have shown that  
11 medication adherence is critical to long-term positive patient  
12 outcomes, and that prescription medications are important tools  
13 that can assist in the management of chronic diseases. However,  
14 patients often delay or miss their medication refills due to  
15 confusion over when prescriptions are needed for refills.

16           The legislature further finds that more than fifteen states  
17 have passed legislation that enables pharmacies and patients to



1 work together with their practitioners to synchronize the  
2 dispensing of medications. Medication synchronization  
3 facilitates the coordination of medication refills so that  
4 patients who take two or more maintenance medications for  
5 chronic conditions can refill their medications on the same  
6 schedule. Medication synchronization improves patient health by  
7 improving medication adherence rates, minimizing disruptions in  
8 treatment, simplifying patient and caregiver routines,  
9 streamlining trips to the pharmacy, reducing costs to insurers,  
10 promoting efficient workflow in pharmacies, and synchronizing  
11 all of a patient's medications for one pickup day every month.

12 Accordingly, the purpose of this Act is to facilitate  
13 medication synchronization by requiring health insurance plans  
14 that provide prescription drug benefits to apply prorated daily  
15 cost-sharing rates for prescriptions dispensed by pharmacies.

16 SECTION 2. Chapter 431, Hawaii Revised Statutes, is  
17 amended by adding a new section to part VI of article 10A to be  
18 appropriately designated and to read as follows:

19 "§431:10A- Medication synchronization; proration;  
20 dispensing fees. (a) Each individual or group accident and  
21 health or sickness insurance policy that provides prescription



1 drug coverage in the State shall apply a prorated daily cost-  
2 sharing rate to prescriptions that are dispensed by a network  
3 pharmacy for less than a thirty-day supply if the prescriber or  
4 pharmacist determines the fill or refill to be in the best  
5 interest of the insured patient for the purpose of medication  
6 synchronization and the patient requests or agrees to less than  
7 a thirty-day supply.

8 (b) If medication is dispensed pursuant to subsection (a),  
9 the insurer that provides prescription drug coverage shall:

10 (1) Not deny coverage for the dispensing of a maintenance  
11 medication that is dispensed by a network pharmacy on  
12 the basis that the dispensed amount is a partial  
13 supply if the partial supply was dispensed pursuant to  
14 subsection (a); and

15 (2) Authorize a pharmacy to override any denial codes  
16 indicating that a prescription is being refilled too  
17 soon.

18 (c) No policy providing prescription drug coverage shall  
19 use payment structures incorporating prorated dispensing fees.  
20 Dispensing fees for partially filled or refilled prescriptions  
21 shall be paid in full for each prescription dispensed,



1 regardless of any prorated copay for the beneficiary or fee paid  
2 for alignment services.

3 (d) Notwithstanding the other provisions of this section,  
4 no schedule II narcotic controlled substance listed in section  
5 329-16 shall be eligible for medication synchronization.

6 (e) For purposes of this section, "medication  
7 synchronization" means the coordination of medication refills  
8 that are being dispensed by a single contracted pharmacy to a  
9 patient taking two or more medications for one or more chronic  
10 conditions so that the patient's medications are refilled on the  
11 same schedule for a given time period."

12 SECTION 3. Chapter 432, Hawaii Revised Statutes, is  
13 amended by adding a new section to part VI of article 1 to be  
14 appropriately designated and to read as follows:

15 "§432:1- Medication synchronization; proration;  
16 dispensing fees. (a) Each hospital and medical service plan  
17 that provides prescription drug coverage in the State shall  
18 apply a prorated daily cost-sharing rate to prescriptions that  
19 are dispensed by a network pharmacy for less than a thirty-day  
20 supply if the prescriber or pharmacist determines the fill or  
21 refill to be in the best interest of the insured patient for the



1 purpose of medication synchronization and the patient requests  
2 or agrees to less than a thirty-day supply.

3 (b) If medication is dispensed pursuant to subsection (a),  
4 the mutual benefit society that provides prescription drug  
5 coverage shall:

6 (1) Not deny coverage for the dispensing of a maintenance  
7 medication that is dispensed by a network pharmacy on  
8 the basis that the dispensed amount is a partial  
9 supply if the partial supply was dispensed pursuant to  
10 subsection (a); and

11 (2) Authorize a pharmacy to override any denial codes  
12 indicating that a prescription is being refilled too  
13 soon.

14 (c) No plan providing prescription drug coverage shall use  
15 payment structures incorporating prorated dispensing fees.  
16 Dispensing fees for partially filled or refilled prescriptions  
17 shall be paid in full for each prescription dispensed,  
18 regardless of any prorated copay for the beneficiary or fee paid  
19 for alignment services.



1        (d) Notwithstanding the other provisions of this section,  
2 no schedule II narcotic controlled substance listed in section  
3 329-16 shall be eligible for medication synchronization.

4        (e) For purposes of this section, "medication  
5 synchronization" means the coordination of medication refills  
6 that are being dispensed by a single contracted pharmacy to a  
7 patient taking two or more medications for one or more chronic  
8 conditions so that the patient's medications are refilled on the  
9 same schedule for a given time period."

10        SECTION 4. Section 461-1, Hawaii Revised Statutes, is  
11 amended by amending the definition of "practice of pharmacy" to  
12 read as follows:

13        "Practice of pharmacy" means:

14        (1) The interpretation and evaluation of prescription  
15 orders; the compounding, dispensing, and labeling of  
16 drugs and devices (except labeling by a manufacturer,  
17 packer, or distributor of nonprescription drugs and  
18 commercially legend drugs and devices); the  
19 participation in drug selection and drug utilization  
20 reviews; the proper and safe storage of drugs and  
21 devices and the maintenance of proper records



1           therefor; the responsibility for advising when  
2           necessary or where regulated, of therapeutic values,  
3           content, hazards, and use of drugs and devices; the  
4           interpretation and evaluation of prescription orders  
5           to adjust the supply dispensed for purposes of  
6           medication synchronization pursuant to section  
7           431:10A-    or section 432:1-    ;

- 8           (2) Performing the following procedures or functions as  
9           part of the care provided by and in concurrence with a  
10          "health care facility" and "health care service" as  
11          defined in section 323D-2, or a "pharmacy" or a  
12          licensed physician or a licensed advanced practice  
13          registered nurse with prescriptive authority, or a  
14          "managed care plan" as defined in section 432E-1, in  
15          accordance with policies, procedures, or protocols  
16          developed collaboratively by health professionals,  
17          including physicians and surgeons, pharmacists, and  
18          registered nurses, and for which a pharmacist has  
19          received appropriate training required by these  
20          policies, procedures, or protocols:



- 1 (A) Ordering or performing routine drug therapy
- 2 related patient assessment procedures;
- 3 (B) Ordering drug therapy related laboratory tests;
- 4 (C) Initiating emergency contraception oral drug
- 5 therapy in accordance with a written
- 6 collaborative agreement approved by the board,
- 7 between a licensed physician or advanced practice
- 8 registered nurse with prescriptive authority and
- 9 a pharmacist who has received appropriate
- 10 training that includes programs approved by the
- 11 American Council of Pharmaceutical Education
- 12 (ACPE), curriculum-based programs from an ACPE-
- 13 accredited college of pharmacy, state or local
- 14 health department programs, or programs
- 15 recognized by the board of pharmacy;
- 16 (D) Administering drugs orally, topically, by
- 17 intranasal delivery, or by injection, pursuant to
- 18 the order of the patient's licensed physician or
- 19 advanced practice registered nurse with
- 20 prescriptive authority, by a pharmacist having
- 21 appropriate training that includes programs





1 approved by the ACPE, curriculum-based programs  
2 from an ACPE-accredited college of pharmacy,  
3 state or local health department programs, or  
4 programs recognized by the board of pharmacy;

5 (E) Administering:

6 (i) Immunizations orally, by injection, or by  
7 intranasal delivery, to persons eighteen  
8 years of age or older by a pharmacist having  
9 appropriate training that includes programs  
10 approved by the ACPE, curriculum-based  
11 programs from an ACPE-accredited college of  
12 pharmacy, state or local health department  
13 programs, or programs recognized by the  
14 board of pharmacy;

15 (ii) Vaccines to persons between fourteen and  
16 seventeen years of age pursuant to section  
17 461-11.4; and

18 (iii) Human papillomavirus, Tdap (tetanus,  
19 diphtheria, pertussis), meningococcal, and  
20 influenza vaccines to persons between eleven



1                   and seventeen years of age pursuant to  
2                   section 461-11.4;  
3           (F) As authorized by the written instructions of a  
4           licensed physician or advanced practice  
5           registered nurse with prescriptive authority,  
6           initiating or adjusting the drug regimen of a  
7           patient pursuant to an order or authorization  
8           made by the patient's licensed physician or  
9           advanced practice registered nurse with  
10          prescriptive authority and related to the  
11          condition for which the patient has been seen by  
12          the licensed physician or advanced practice  
13          registered nurse with prescriptive authority;  
14          provided that the pharmacist shall issue written  
15          notification to the patient's licensed physician  
16          or advanced practice registered nurse with  
17          prescriptive authority or enter the appropriate  
18          information in an electronic patient record  
19          system shared by the licensed physician or  
20          advanced practice registered nurse with  
21          prescriptive authority, within twenty-four hours;



- 1 (G) Transmitting a valid prescription to another
- 2 pharmacist for the purpose of filling or
- 3 dispensing;
- 4 (H) Providing consultation, information, or education
- 5 to patients and health care professionals based
- 6 on the pharmacist's training and for which no
- 7 other licensure is required; or
- 8 (I) Dispensing an opioid antagonist in accordance
- 9 with a written collaborative agreement approved
- 10 by the board, between a licensed physician and a
- 11 pharmacist who has received appropriate training
- 12 that includes programs approved by the ACPE,
- 13 curriculum-based programs from an ACPE-accredited
- 14 college of pharmacy, state or local health
- 15 department programs, or programs recognized by
- 16 the board;
- 17 (3) The offering or performing of those acts, services,
- 18 operations, or transactions necessary in the conduct,
- 19 operation, management, and control of pharmacy; and
- 20 (4) Prescribing and dispensing contraceptive supplies
- 21 pursuant to section 461-11.6."



# H.B. NO. 2145

1 SECTION 5. New statutory material is underscored.

2 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY:

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JAN 19 2018



# H.B. NO. 2145

**Report Title:**

Medication; Insurance; Prescriptions; Synchronization

**Description:**

Requires health insurance and hospital and medical service plans that provide prescription drug benefits to apply prorated daily cost-sharing rates for prescriptions dispensed by pharmacies.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

