

Introduced by Senator StoneFebruary 16, 2018

An act to add Section 1367.44 to the Health and Safety Code, to add Section 10123.204 to the Insurance Code, and to add Section 14132.09 to the Welfare and Institutions Code, relating to health care coverage.

LEGISLATIVE COUNSEL'S DIGEST

SB 1285, as introduced, Stone. Health care coverage: advanced practice pharmacist.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law provides for the regulation of health insurers by the Department of Insurance. Existing law establishes the Medi-Cal program, which is administered by the State Department of Health Care Services and 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. Under existing law, one of the methods by which Medi-Cal services are provided is pursuant to contracts with various types of managed care plans.

This bill would require coverage for services provided by an advanced practice pharmacist, as defined, performed within the scope of his or her practice, including, but not limited to, comprehensive medication management (CMM) services, as defined, in a health care service plan contract and health insurance policy, and, to the extent that federal financial participation is available, in a Medi-Cal managed care plan. Because a willful violation of that provision by a health care service

plan would be a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1367.44 is added to the Health and Safety
2 Code, to read:

3 1367.44. (a) Every health care service plan contract that is
4 issued, amended, or renewed on or after January 1, 2019, shall
5 provide coverage for services provided by an advanced practice
6 pharmacist, as defined in Section 4016.5 of the Business and
7 Professions Code, performed within the scope of his or her practice,
8 including, but not limited to, comprehensive medication
9 management (CMM) services.

10 (b) For purposes of this section, “comprehensive medication
11 management” means the process of care that ensures each
12 beneficiary’s medications, whether they are prescription drugs and
13 biologics, over-the-counter medication, or nutritional supplements,
14 are individually assessed to determine that each medication is
15 appropriate for the beneficiary, effective for the medical condition,
16 and safe given the comorbidities and other medications being
17 taken, and that all medications are able to be taken by the patient
18 as intended.

19 (c) This section does not apply to a contract with a pharmacy
20 benefit management company or a direct contract for only
21 prescription dispensing or related services.

22 SEC. 2. Section 10123.204 is added to the Insurance Code, to
23 read:

24 10123.204. (a) Every health insurance policy that is issued,
25 amended, or renewed on or after January 1, 2019, shall provide
26 coverage for services provided by an advanced practice pharmacist,
27 as defined in Section 4016.5 of the Business and Professions Code,
28 performed within the scope of his or her practice, including, but

1 not limited to, comprehensive medication management (CMM)
2 services.

3 (b) For purposes of this section, “comprehensive medication
4 management” means the process of care that ensures each
5 beneficiary’s medications, whether they are prescription drugs and
6 biologics, over-the-counter medication, or nutritional supplements,
7 are individually assessed to determine that each medication is
8 appropriate for the beneficiary, effective for the medical condition,
9 and safe given the comorbidities and other medications being
10 taken, and that all medications are able to be taken by the patient
11 as intended.

12 (c) This section does not apply to a contract with a pharmacy
13 benefit management company or a direct contract for only
14 prescription dispensing or related services.

15 SEC. 3. Section 14132.09 is added to the Welfare and
16 Institutions Code, to read:

17 14132.09. (a) Services provided by an advanced practice
18 pharmacist, as defined in Section 4016.5 of the Business and
19 Professions Code, performed within the scope of his or her practice,
20 including, but not limited to, comprehensive medication
21 management (CMM) services, shall be a covered benefit in a
22 Medi-Cal managed care plan.

23 (b) For purposes of this section, “comprehensive medication
24 management” means the process of care that ensures each
25 beneficiary’s medications, whether they are prescription drugs and
26 biologics, over-the-counter medication, or nutritional supplements,
27 are individually assessed to determine that each medication is
28 appropriate for the beneficiary, effective for the medical condition,
29 and safe given the comorbidities and other medications being
30 taken, and that all medications are able to be taken by the patient
31 as intended.

32 (c) This section does not apply to a contract with pharmacy
33 benefit management companies or a direct contract for only
34 prescription dispensing or related services.

35 (d) This section shall be implemented only to the extent that
36 federal financial participation is available.

37 SEC. 4. No reimbursement is required by this act pursuant to
38 Section 6 of Article XIII B of the California Constitution because
39 the only costs that may be incurred by a local agency or school
40 district will be incurred because this act creates a new crime or

1 infraction, eliminates a crime or infraction, or changes the penalty
2 for a crime or infraction, within the meaning of Section 17556 of
3 the Government Code, or changes the definition of a crime within
4 the meaning of Section 6 of Article XIII B of the California
5 Constitution.

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