

FIRST REGULAR SESSION

HOUSE BILL NO. 45

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE UNSICKER.

0330H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 208.175, RSMo, and to enact in lieu thereof one new section relating to the drug utilization review board.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 208.175, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 208.175, to read as follows:

208.175. 1. The "Drug Utilization Review Board" is hereby established within the MO HealthNet division and shall be composed of the following health care professionals who shall be appointed by the governor and whose appointment shall be subject to the advice and consent of the senate:

(1) Six physicians who shall include:

(a) Three physicians who hold the doctor of medicine degree and are active in medical practice;

(b) Two physicians who hold the doctor of osteopathy degree and are active in medical practice; and

(c) One physician who holds the doctor of medicine or the doctor of osteopathy degree and is active in the practice of psychiatry;

(2) Six actively practicing pharmacists who shall include:

(a) Three pharmacists who hold bachelor of science degrees in pharmacy and are active as retail or patient care pharmacists; **and**

(b) ~~Two~~ **Three** pharmacists who hold advanced clinical degrees in pharmacy and are active in the practice of pharmaceutical therapy and clinical pharmaceutical management; and

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 ~~[(c) One pharmacist who holds either a bachelor of science degree in pharmacy or an~~
18 ~~advanced clinical degree in pharmacy and is employed by a pharmaceutical manufacturer of~~
19 ~~Medicaid-approved formulary drugs; and]~~

20 (3) One certified medical quality assurance registered nurse with an advanced degree.

21 2. The membership of the drug utilization review board shall include health care
22 professionals who have recognized knowledge and expertise in one or more of the following:

23 (1) The clinically appropriate prescribing of covered outpatient drugs;

24 (2) The clinically appropriate dispensing and monitoring of covered outpatient drugs;

25 (3) Drug use review, evaluation and intervention;

26 (4) Medical quality assurance.

27 3. A chairperson shall be elected by the board members. The board shall meet at least
28 once every ninety days. A quorum of eight members, including no fewer than three physicians
29 and three pharmacists, shall be required for the board to act in its official capacity.

30 4. Members appointed pursuant to subsection 1 of this section shall serve four-year
31 terms, except that of the original members, four shall be appointed for a term of two years, four
32 shall be appointed for a term of three years and five shall be appointed for a term of four years.
33 Members may be reappointed.

34 5. The members of the drug utilization review board or any regional advisory committee
35 shall receive no compensation for their services other than reasonable expenses actually incurred
36 in the performance of their official duties.

37 6. The drug utilization review board shall, either directly or through contracts between
38 the MO HealthNet division and accredited health care educational institutions, state medical
39 societies or state pharmacist associations or societies or other appropriate organizations, provide
40 for educational outreach programs to educate practitioners on common drug therapy problems
41 with the aim of improving prescribing and dispensing practices.

42 7. The drug utilization review board shall monitor drug usage and prescribing practices
43 in the Medicaid program. The board shall conduct its activities in accordance with the
44 requirements of subsection (g) of section 4401 of the Omnibus Budget Reconciliation Act of
45 1990 (P.L. 101-508). The board shall publish an educational newsletter to Missouri Medicaid
46 providers as to its considered opinion of the proper usage of the Medicaid formulary. It shall
47 advise providers of inappropriate drug utilization when it deems it appropriate to do so.

48 8. The drug utilization review board may provide advice on guidelines, policies, and
49 procedures necessary to establish and maintain the Missouri Rx plan.

50 9. Office space and support personnel shall be provided by the MO HealthNet division.

51 10. Subject to appropriations made specifically for that purpose, up to six regional
52 advisory committees to the drug utilization review board may be appointed. Members of the

53 regional advisory committees shall be physicians and pharmacists appointed by the drug
54 utilization review board. Each such member of a regional advisory committee shall have
55 recognized knowledge and expertise in one or more of the following:

- 56 (1) The clinically appropriate prescribing of covered outpatient drugs;
- 57 (2) The clinically appropriate dispensing and monitoring of covered outpatient drugs;
- 58 (3) Drug use review, evaluation, and intervention; or
- 59 (4) Medical quality assurance.

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