

HOUSE BILL 2398

By Littleton

AN ACT to amend Tennessee Code Annotated, Title 63, Chapter 10 and Title 71, Chapter 5, relative to pharmacist-provided medication therapy management services.

WHEREAS, it is the intention of the General Assembly to establish a pharmacist-provided medication therapy management program to improve the health and lives of TennCare beneficiaries; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, is amended by adding the following as a new section:

(a) As used in this section, unless the context otherwise requires:

(1) "Medication therapy management program" means the term as defined in § 63-10-204; and

(2) "Medication therapy management services" means the term as defined in Section 2 of this act.

(b)

(1) The bureau of TennCare shall incorporate a medication therapy management program provided by pharmacists into all of its healthcare delivery systems within the TennCare program in order to improve patient outcomes and control costs in a manner consistent with the bureau's authority concerning pharmacy services under § 71-5-197.

(2) Each managed care organization or pharmacy benefit manager, as appropriate, that participates in the TennCare program shall administer a

medication therapy management program which meets or exceeds the program standards and eligibility criteria as established by the bureau of TennCare.

(c)

(1) The bureau of TennCare, in coordination with its managed care organizations, and pharmacy benefit manager, as appropriate, shall establish program standards and eligibility criteria for the medication therapy management program within the TennCare program in order to identify beneficiaries who may benefit from medication therapy management services. Eligibility criteria may include use of specific medications, use of classes of medications, disease states, health conditions, mental health conditions, complex medical and drug-related needs, and other clinical factors, as determined by the bureau.

(2) Medication therapy management services shall be made available to any beneficiary enrolled in the TennCare program who qualifies for the medication therapy management program as determined by the bureau of TennCare.

(3) Medication therapy management services shall be delivered by a qualified pharmacist or a pharmacy intern under the direct supervision of a pharmacist, acting within the routine scope of the practice of pharmacy, as defined in § 63-10-204, and in consultation with patients, caregivers, prescribers, and other healthcare providers, as appropriate. Technical responsibilities related to medication therapy management services, other than the delivery of direct patient care services, such as obtaining accurate medication histories and records, scheduling visits, documentation, and billing for services, may be delegated to pharmacy technicians and other pharmacy personnel at the discretion of the pharmacist responsible for delivering the service.

(4) Nothing in this section shall expand or modify the scope of the practice of the pharmacy as defined in § 63-10-204.

(d)

(1) In addition to other elements of the pharmacy component of medical assistance under this chapter, the managed care organization administering the medication therapy management program shall pay additional compensation to pharmacists for medication therapy management services, and shall contract with pharmacists independent of dispensing or other components.

(2) For purposes of reimbursement for medication therapy management services, the bureau of TennCare, or its managed care organizations, may enroll individual pharmacists as providers under their medicaid provider program. The bureau of TennCare, or its managed care organizations, may also establish contact requirements between the pharmacist and beneficiary, including limiting the number of reimbursable consultations per recipient.

SECTION 2. Tennessee Code Annotated, Section 63-10-204, is amended by adding the following as new subdivisions:

() "Comprehensive medication review" means a systematic process of collecting patient-specific information, assessing medication therapies to identify medication-related problems, developing a prioritized list of medication-related problems, and creating a plan to resolve them with the patient, caregiver, and provider. A comprehensive medication review involves an interactive person-to-person consultation conducted between the patient or a caregiver and the pharmacists, which improves patients' knowledge of their prescription, over-the-counter (OTC) medications, herbal therapies, and dietary supplements; identifies and addresses problems or concerns that patients may have, and empowers patients to self-manage their medications and health conditions; and

() "Medication therapy management services" means the provision of direct patient care services by a pharmacist licensed under title 63, chapter 10,

practicing in this state, to optimize the therapeutic outcomes of the patient's medications. Medication therapy management encompasses a broad range of professional activities and responsibilities within the licensed pharmacist's scope of practice. These services may include the following, according to the individual needs of the patient:

- (A) Performing or obtaining necessary assessments of the patient's health status;
- (B) Formulating a medication treatment plan;
- (C) Selecting, initiating, modifying, or administering medication therapy;
- (D) Monitoring and evaluating the patient's response to therapy, including safety and effectiveness;
- (E) Performing a comprehensive medication review to identify, resolve, and prevent medication-related problems, including adverse drug events;
- (F) Documenting the care delivered and communicating essential information to the patient's other primary care providers;
- (G) Providing verbal education and training designed to enhance patient understanding and appropriate use of the patient's medications;
- (H) Providing information, support services and resources designed to enhance patient adherence with the patient's therapeutic regimens, such as medication synchronization;
- (I) Coordinating and integrating medication therapy management services within the broader healthcare management services being provided to the patient; and

(J) Such other patient care services as may be allowed by law.

SECTION 3. Tennessee Code Annotated, Title 63, Chapter 10, Part 2, is amended by adding the following as a new section to be appropriately designated:

Medication therapy management provided under this chapter as part of the practice of pharmacy shall meet the standards for medication therapy management established by rule by the board of pharmacy.

SECTION 4. This act shall take effect on July 1, 2017, the public welfare requiring it.