TPA Legislative Efforts Help Pharmacists & Patients in 2015

TPA’s TOP 5 LEGISLATIVE PRIORITIES IN 2015

— Restoration of Proposed AWP-Based Cuts to the TennCare Pharmacy Program —
— Diabetes Sales Tax —
— Pharmacy Drug Disposal —
— Pharmacy Robbery Legislation —
— Medication Therapy Management (MTM) in Medicaid —

During Tennessee’s 2015 Legislative Session, TPA advanced several initiatives to help patients and pharmacists. TPA also monitored nearly 100 bills put forth by other entities. A concise, detailed synopsis of TPA’s legislative activity for 2015 was provided in our May 22 NEWStream. View the NEWStream online at bit.ly/NEWStreamMay22. If you missed it, members can read the synopsis of the 2015 legislative activity by visiting the link bit.ly/TNLeg15Recap.

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Restoration of Proposed AWP-Based Cuts to the TennCare Pharmacy Program:
TPA successfully worked to restore funding for the proposed AWP cuts to the TennCare pharmacy program. These cuts would have reduced AWP-based reimbursements to pharmacies by over $17.4 million (total state and federal funding) for brand, generic, and specialty medications. Special thanks to Chairman Randy McNally, Chairman Rusty Crowe, Representative Ferrell Haile, Representative David Shepard, and Chairman Cameron Sexton.

Diabetes Sales Tax:
TPA successfully worked to enact Public Chapter 274, exempting the sale of diabetic testing supplies from state and local tax, including any syringe used to dispense insulin for human use and diabetic testing supplies for human use, as well as lancets, test strips for blood glucose monitors, visual read test strips, and urine test strips. This legislation had a $2.4 million fiscal note this year. Special thanks to Senator Doug Overbey and Representative David Shepard.

Pharmacy Drug Disposal:
TPA successfully worked to enact the “Ensuring Patient Access to Pharmacy Drug Disposal Programs Act of 2015,” under which 1) pharmacist participation in drug disposal programs is voluntary, 2) the pharmacist in charge is responsible for deciding whether the pharmacy participates, and 3) the pharmacy practice site is not liable for theft, robbery, or other criminal activity related to its participation, assuming it complies with applicable rules and regs. Special thanks to Senator Doug Overbey and Representative David Shepard.

Pharmacy Robbery Legislation:
TPA worked on legislation to allow courts to apply enhancing factors and extended sentences for an individual who commits robbery involving controlled substances on the premises of a licensed pharmacy. The legislation is expected to increase costs to the state and did not receive funding this year. However, TPA was able to educate legislators and the public and will seek funding for this legislation next year. Special thanks to Senator Ferrell Haile and Representative David Shepard.

Medication Therapy Management (MTM) in Medicaid:
TPA was heavily engaged in supporting Senate Joint Resolution 104, urging TennCare to incorporate MTM to help patients, improve quality, and control costs. TennCare reports that 1) its pharmacy team has been evaluating MTM as a potential cost savings measure which may be implemented with or without the resolution, and 2) if mandated, MTM could be implemented in a manner that is at worst revenue neutral. Special thanks to Chairman Randy McNally.

TPA could not have advocated successfully for pharmacists and patients without the active support and participation of our members who contacted their legislators, met with them personally, and/or showed up on The Hill to advance these important initiatives. Thank you!

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Also in TPA's synopsis of 2015 legislative activity is information about other pharmacy-related legislation, both enacted and not enacted, as follows.

Other pharmacy-related legislation **enacted** in 2015:
- Dextromethorphan Regulations
- Interchange of Biologicals
- Electronic Records in Public Health Threats
- Controlled Substance Scheduling
- Low-THC Cannabidiol Oil
- Pseudoephedrin Legislation
- Addiction Treatment Act
- Pain Management Clinic Requirements
- Controlled Substance Prescribing
- Right to Try Act
- Board of Pharmacy Licensure
- Prescribing by Nurse Anesthetists
- Intractable Pain Act
- Department of Health
- Abuse of Vulnerable Individuals
- Telehealth
- Medical Malpractice
- Physician Assistant Regulations

Other pharmacy-related legislation **considered but not enacted** in 2015:
- Medication Synchronization
- TennCare Pharmacy Posting
- TennCare Oversight Committee
- 90-Day Opioid Benzodiazepine Exception
- Healthcare Improvement Act
- Nursing Scope of Practice
- Abuse Deterrent Opioid Analgesic