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SENATE BILL 5721

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State of Washington

58th Legislature

2003 Regular Session

By Senators Winsley, Deccio, Thibaudeau, Swecker, Morton, Esser, Zarelli, McCaslin, Kohl-Welles, Stevens and Oke

Read first time 02/07/2003. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to prescription drugs; adding new sections to  
2 chapter 74.09 RCW; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that access to  
5 prescription drugs is vital to the health of many Washington residents.  
6 However, increased cost and use of such drugs is straining the  
7 resources of many individuals, and public and private entities. The  
8 legislature therefore creates this pharmacy access program with the  
9 intention of implementing strategies to reduce the cost of prescription  
10 drugs to the state and assuring state residents of continued access to  
11 necessary, appropriate, and affordable medications.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.09 RCW  
13 to read as follows:

14 (1) The department shall award prescription drug information and  
15 education grants to local government or nonprofit organizations for the  
16 design and implementation of programs intended to inform and train  
17 persons age sixty-five and older in the safe and appropriate use of  
18 prescription and nonprescription medications.

1 (2) The grants shall be awarded on a competitive basis, using the  
2 following criteria:

3 (a) The demonstrated ability of the applicant organization to  
4 effectively administer such a program, including appropriate outreach  
5 and follow-up;

6 (b) The financial and in-kind resources that the applicant  
7 organization will bring to the program in addition to those funded by  
8 the grant;

9 (c) The extent to which the proposed program design reflects a  
10 comprehensive understanding of issues related to the safe and  
11 appropriate use of prescription drugs by seniors, and how to  
12 effectively communicate with the target audience;

13 (d) The extent to which the proposed program reflects a  
14 collaborative effort between the applicant organization and other  
15 health care providers and programs in the location to be served,  
16 including doctors, pharmacists, and long-term care providers;

17 (e) The extent to which the proposed program will serve as a model  
18 that can be replicated by other organizations around the state; and

19 (f) Any other criteria deemed appropriate by the department to  
20 ensure the quality and cost-effectiveness of the programs funded.

21 (3) In awarding the grants, the department shall make every effort  
22 to ensure that the programs are geographically dispersed around the  
23 state. No single program shall be awarded more than ten thousand  
24 dollars annually.

25 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.09 RCW  
26 to read as follows:

27 (1) The department shall establish and advertise a pharmacy  
28 connection program through which health care providers and members of  
29 the public can obtain information about manufacturer-sponsored  
30 prescription drug assistance programs. The department shall ensure  
31 that the program has staff available who can assist persons in  
32 procuring free or discounted medications from manufacturer-sponsored  
33 prescription drug assistance programs by:

34 (a) Determining whether an assistance program is offered for the  
35 needed drug or drugs;

36 (b) Evaluating the likelihood of a person obtaining drugs from an  
37 assistance program under the guidelines formulated;

1 (c) Assisting persons with the application and enrollment in an  
2 assistance program;

3 (d) Coordinating and assisting physicians and others authorized to  
4 prescribe medications with communications, including applications, made  
5 on behalf of a person to a participating manufacturer for the purpose  
6 of obtaining approval of the person in an assistance program; and

7 (e) Working with participating manufacturers to simplify the system  
8 whereby eligible persons access drug assistance programs, including  
9 development of a single application form and uniform enrollment  
10 process.

11 (2) Implementation of the program shall initially target senior  
12 citizens and shall include a toll-free telephone number, available  
13 during regular business hours, that may be used to obtain information.

14 (3) The department may apply for and accept grants or gifts and may  
15 enter into contracts with other state agencies or private organizations  
16 to assist with the implementation of this program including, but not  
17 limited to, contracts, gifts, or grants from pharmaceutical  
18 manufacturers to assist with the direct costs of the program.

19 (4) The department shall notify pharmaceutical companies doing  
20 business in Washington of the pharmacy connection program. Any  
21 pharmaceutical company that does business in this state and that offers  
22 a pharmaceutical assistance program shall notify the department of the  
23 existence of the program, the drugs covered by the program, and all  
24 information necessary to apply for assistance under the program.

25 (5) For purposes of this section, "manufacturer-sponsored  
26 prescription drug assistance program" means a program offered by a  
27 pharmaceutical company through which the company provides a drug or  
28 drugs to eligible persons at no charge or at a reduced cost. The term  
29 does not include the provision of a drug as part of a clinical trial.

30 NEW SECTION. **Sec. 4.** A new section is added to chapter 74.09 RCW  
31 to read as follows:

32 The department shall submit and, upon approval, implement a section  
33 1115 research and demonstration waiver request to the federal centers  
34 for medicare and medicaid services to establish a medicaid senior  
35 prescription drug assistance program. The program shall:

36 (1) Cover persons age sixty-five years old or older with household

1 incomes up to one hundred fifty percent of the federal poverty level  
2 who otherwise lack prescription drug insurance coverage;

3 (2) Provide a pharmacy benefit as comprehensive as that provided in  
4 the current Washington medicaid state plan; and

5 (3) Include reasonable enrollee premiums and cost sharing.

6 The department shall limit enrollment as necessary to prevent an  
7 over expenditure of the program's appropriation.

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