

AMENDED IN SENATE AUGUST 25, 2004
AMENDED IN SENATE AUGUST 23, 2004
AMENDED IN SENATE SEPTEMBER 8, 2003
AMENDED IN SENATE AUGUST 18, 2003
AMENDED IN SENATE JULY 1, 2003
AMENDED IN SENATE JUNE 18, 2003
AMENDED IN ASSEMBLY APRIL 23, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1367

**Introduced by Assembly Members Steinberg and Laird
(Coauthors: Assembly Members Goldberg and Koretz)**

February 21, 2003

An act to add and repeal Article 6.6 (commencing with Section 14199) of Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

AB 1367, as amended, Steinberg. Medi-Cal: HIV/AIDS Pharmacy Pilot Program.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services and under which qualified low-income persons receive health care services, including pharmacy services and drugs.

This bill would require the department to establish the HIV/AIDS Pharmacy Pilot Program in up to 10 pharmacies to evaluate the provision of medication therapy management services, as defined, for people with HIV/AIDS to be effective January 1, 2005, for services rendered on or after September 1, 2004. The bill would require the pilot project to provide the necessary information to assess the effectiveness of pharmacist care in improving health outcomes for HIV/AIDS patients. The bill would require the department to consult with the pilot program pharmacies to establish appropriate outcome measures and the required timeframes for reporting those measures, which are required to be at least annually. The bill would require that the pilot program participants be paid an additional dispensing fee of \$9.50 per prescription for services rendered after September 1, 2004. The bill would provide for the repeal of its provisions on January 1, 2008.

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

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

1 SECTION 1. Article 6.6 (commencing with Section 14199)
 2 is added to Chapter 7 of Part 3 of Division 9 of the Welfare and
 3 Institutions Code, to read:

4
 5 Article 6.6. HIV/AIDS Pharmacy Pilot Program
 6

7 14199. The department shall establish a pilot program to
 8 evaluate the provision of medication therapy management
 9 services for people with HIV/AIDS to be effective January 1,
 10 2005, for services rendered on or after September 1, 2004.

11 14199.1. For purposes of this article, “medication therapy
 12 management” means a distinct service or group of services that
 13 optimize therapeutic outcomes for individual patients. Medication
 14 therapy management services are independent of, but can occur in
 15 conjunction with, the provision of a medication product.

16 14199.2. (a) The pilot program provided for under this
 17 article shall provide the necessary information to assess the
 18 effectiveness of pharmacist care in improving health outcomes for
 19 HIV/AIDS patients.



1 (b) The department shall implement an HIV/AIDS-related
2 medication therapy management service pilot project in no more
3 than 10 pharmacies.

4 (c) The selection of the pharmacy providers shall be based on
5 all of the following:

6 (1) Percentage of HIV/AIDS patients serviced by the
7 pharmacy. More than ~~70~~ 90 percent of the total patients serviced
8 by the pharmacy in the months of May, June, and July 2004, must
9 have been HIV/AIDS patients.

10 (2) Ability of the pharmacy to immediately provide specialized
11 services. The provider shall be required to establish specialized
12 services with capability to implement all statutorily mandated
13 services on the implementation date of the project. The pharmacy
14 shall provide all the services listed in subdivision (e).

15 (3) All specialized services shall be rendered by a qualified
16 pharmacist or other health care provider operating within his or her
17 scope of practice. The department shall develop, in consultation
18 with pharmacy providers, the appropriate professional
19 qualifications needed by the pharmacists rendering ~~services.~~
20 *services, including any continuing education requirements.*

21 (d) The department shall select the first pharmacies that apply
22 and meet the criteria specified in subdivision (c) for the pilot
23 program.

24 (e) Pharmacies that participate in this pilot program shall
25 provide the following services:

26 (1) Patient-specific and individualized services provided
27 directly by a pharmacist to the patient, or in limited circumstances,
28 the patient's caregiver. These services are distinct from
29 generalized patient education and information activities already
30 required by law and provided for in the professional fee for
31 dispensing.

32 (2) Face-to-face interaction between the patient or caregiver
33 and the pharmacist during delivery of medication therapy
34 management services. When barriers to face-to-face
35 communication exist, patients shall have equitable access to
36 appropriate alternative delivery methods.

37 (3) Pharmacists and other qualified health care providers to
38 identify patients who should receive medication therapy
39 management services.



1 (f) The department shall consult with the pilot program
2 pharmacies to establish appropriate outcome measures and the
3 required timeframes for reporting those measures, which in no
4 case shall be less than annually. The department shall retain the
5 ability to require additional outcome measures during the course
6 of the project.

7 (g) The medication therapy management services shall be
8 based on the individual patient's needs and may include, but are
9 not limited to, the following:

10 (1) Performing or obtaining necessary assessments of the
11 patient's health status.

12 (2) Formulating a medication treatment plan.

13 (3) Selecting, initiating, modifying, or administering
14 medication therapy.

15 (4) Monitoring and evaluating the patient's response to
16 therapy, including safety and effectiveness.

17 (5) Performing a comprehensive medication review to identify,
18 resolve, and prevent medication-related problems, including
19 adverse drug events.

20 (6) Documenting the care delivered and communicating
21 essential information to the patient's other primary care providers.

22 (7) Providing verbal education and training, beyond what is
23 already required by law, that is designed to enhance patient
24 understanding and appropriate use of the patient's medications.

25 (8) Providing information, support services, and resources,
26 such as compliance packaging, designed to enhance patient
27 adherence to his or her therapeutic regimens.

28 (9) Coordinating and integrating medication therapy
29 management services within the broader health care management
30 services being provided to the patient.

31 (10) *Home delivery of medications.*

32 (h) Participants in this pilot program shall be paid an additional
33 dispensing fee of nine dollars and fifty cents (\$9.50) per
34 prescription for services rendered after September 1, 2004.

35 (i) Notwithstanding any other provision of law, the department
36 shall not make any payments for services listed in subdivision (g)
37 that were rendered during any time period in which subdivision (b)
38 of Section 14105.45 has been enjoined by a court order or is
39 otherwise not in effect.



1 (j) Pilot project contracts under this section may be executed on
2 a noncompetitive bid basis and shall be exempt from the
3 requirements of Chapter 2 (commencing with Section 10290) of
4 Part 2 of Division 2 of the Public Contract Code.

5 (k) *Pharmacies shall maintain a sufficient quantity of*
6 *HIV/AIDS medication in their inventories.*

7 (l) *Pharmacies shall purchase HIV medications from state*
8 *licensed wholesalers.*

9 14199.3. This article shall remain in effect only until January
10 1, 2008, and as of that date is repealed, unless a later enacted statute
11 that becomes effective on or before January 1, 2008, deletes or
12 extends that date.

