

Subject Synchronization of refills; emergency refills

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Overview

This bill requires contracts between a pharmacy benefit manager and a pharmacy to allow for the synchronization of refills for a patient at least once per year. This bill also allows a pharmacist to dispense or sell a drug without a prescription, if the prescription on record does not provide for a refill or the time for providing refills has elapsed, and other specified conditions are met.

Summary

Section	Description
1	<p>Drug coverage in emergency situations.</p> <p>Adds § 62Q.528. Requires a health plan that provides drug coverage to cover drugs under section 151.211, subdivision 3 (emergency prescription refills) under the terms that would apply had the drug been dispensed according to a prescription.</p>
2	<p>Synchronization.</p> <p>Adds § 62W.10. (a) Defines “synchronization” as the coordination of prescription drug refills for a patient taking two or more medications for one or more chronic conditions, to allow the medications to be refilled on the same schedule for a given period of time.</p> <p>(b) Requires a contact between a pharmacy benefit manager (PBM) and a pharmacy to allow for synchronization of refills for a patient on at least one occasion per year, if the following criteria are met:</p> <ol style="list-style-type: none">1) the drugs are covered under the health plan or approved as a formulary exception;2) the drugs are maintenance medications and have one or more refills available;3) the drugs are not Schedule II, III, or IV controlled substances;4) the patient meets all utilization management criteria relevant to the drug;5) the drugs can be safely split into short-fill periods; and6) the drugs do not have special handling or sourcing needs.

Section	Description
	<p>(c) Requires the PBM to apply a prorated, daily patient cost-sharing rate when necessary to permit synchronization. Prohibits the dispensing fee from being prorated, and requires dispensing fees to be based on the number of prescriptions filled or refilled.</p>
	<p>(d) Allows the patient or the patient's parent or legal guardian to request synchronization. Provides that a legal guardian includes a guardian of an incapacitated person.</p>
3	<p>Practitioner. Amends § 151.01, subd. 23. Includes in the definition of practitioner, for purposes of emergency prescription refills, physician assistants and dental therapists.</p>
4	<p>Refill requirements. Amends § 151.211, subd. 2. Makes a conforming change to section 152.211, subdivision 3 (emergency prescription refills).</p>
5	<p>Emergency prescription refills. Amends § 151.211, by adding subd. 3.</p> <p>(a) Provides that a pharmacist, using sound professional judgment and in accordance with accepted standards of practice, may dispense a legend drug without a current prescription, if all of the following conditions are met:</p> <ol style="list-style-type: none">1) the patient has been compliant with taking the medication and has consistently had the drug filled or refilled as demonstrated by pharmacy records;2) the pharmacy has a record of the prescription drug order for the patient, but the prescription does not provide for a refill or the time for providing refills has elapsed;3) the pharmacist is unable to contact the practitioner who issued the prescription, or another practitioner responsible for the patient's care, to obtain refill authorization;4) the drug is essential to sustain the life of the patient or to continue therapy for a chronic condition; and5) failure to dispense the drug would harm patient health; and6) the drug is not a controlled substance, except for a controlled substance prescribed to treat a seizure disorder, for which a 72-hour supply may be dispensed. <p>(b) Limits the amount dispensed to a 30-day supply, or the quantity originally prescribed, whichever is less, except for seizure medications. If the standard unit of dispensing exceeds a 30-day supply, the amount of drug dispensed or sold must not exceed the standard unit of dispensing.</p>

Section	Description
	(c) Prohibits a pharmacist from dispensing or selling the same drug to the same patient more than once in a 12-month period.
	(d) Requires a pharmacist to notify the practitioner who issued the prescription within 72 hours of the drug being sold or dispensed. Requires authorization before any additional refills may be dispensed.
	(e) Requires the record of the drug sold or dispensed under this section to be maintained in the same manner as other prescriptions.



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