

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

**H**

**1**

**HOUSE BILL 1752**

Short Title: Reduce Costs, Improve Acc./Sr. Presc. Drugs. (Public)

---

Sponsors: Representatives Baddour, Earle, Easterling, Nye (Primary Sponsors); Alexander, Allen, Barefoot, Bell, Church, Cox, Culpepper, Cunningham, Dedmon, Gibson, Goodwin, Hackney, Haire, Hall, Hill, Holliman, Hunter, Insko, Jarrell, Jeffus, Lucas, McLawhorn, Miller, Owens, Russell, Saunders, Sherrill, Shubert, Smith, Sutton, Tolson, Tucker, Underhill, Wainwright, Walker, Warner, Warren, Warwick, Weiss, and G. Wilson.

---

Referred to: Appropriations.

---

June 17, 2002

A BILL TO BE ENTITLED

1  
2 AN ACT TO ESTABLISH AND IMPLEMENT A SENIOR PRESCRIPTION DRUG  
3 ACCESS PROGRAM TO REDUCE COSTS AND IMPROVE ACCESS TO  
4 PRESCRIPTION DRUGS FOR SENIORS AND LOW-INCOME CITIZENS, AND  
5 TO AUTHORIZE THE HEALTH AND WELLNESS TRUST FUND  
6 COMMISSION TO EXPEND A LIMITED AMOUNT OF FUNDS FROM THE  
7 HEALTH AND WELLNESS TRUST FUND RESERVE FOR THE 2002-2003  
8 FISCAL YEAR FOR THE SENIOR PRESCRIPTION DRUG ACCESS  
9 PROGRAM.

10 The General Assembly of North Carolina enacts:

11 **SECTION 1.(a)** Notwithstanding G.S. 147-86.30, the Health and Wellness  
12 Trust Fund Commission may for the fiscal year 2002-2003 expend not more than three  
13 million dollars (\$3,000,000) of the funds reserved pursuant to G.S. 147-86.30(c) to  
14 develop and implement a Senior Prescription Drug Access Program. As used in this  
15 section, the term "senior" means an individual age 65 years and older. The purpose of  
16 the Program is to reduce costs of and improve access to and use of prescription drugs  
17 by:

- 18 (1) Providing one-on-one assistance to seniors and low-income citizens in  
19 accessing public and private prescription drug assistance programs.  
20 (2) Making available pharmacist evaluators to review all prescriptions and  
21 to provide face-to-face counseling for seniors to promote compliance  
22 and identify potential adverse effects from interactions among the  
23 prescribed drugs.

- 1           (3) Utilizing software currently licensed by the Department of Health and  
2           Human Services to guide patients through the complexities of all drug  
3           coverage options, including drug acquisition through low-cost or  
4           discount drug programs provided through manufacturer's card  
5           programs, and by government programs.

6 Drug acquisition services under the Program shall be available to senior citizens and to  
7 low-income citizens eligible for assistance under these public and private prescription  
8 drug programs. Counseling services provided by the Program shall be available to  
9 senior citizens age 65 and older. There shall be no fee for Program medication  
10 counseling services to seniors who are Medicaid recipients and seniors enrolled in  
11 Carolina CARxES. The Commission may authorize a reasonable fee to be charged by  
12 the pharmacist evaluator to other seniors using medication counseling services,  
13 provided that the fee is charged on a sliding scale based on individual or family income.  
14 In no event may the fee exceed the actual cost of the service provided. The Commission  
15 shall consult with other State agencies and public and private entities to avoid  
16 duplication and enhance cooperation and collaboration in providing Program services.  
17 In allocating funds under the Program, the Commission shall consider diversity of  
18 populations served, geographic representation, and increasing community capacity to  
19 respond to health needs. The Commission may phase in the availability of services such  
20 that initially all geographic regions of the State have services available.

21           **SECTION 1.(b)** In developing and implementing the Senior Prescription  
22 Drug Access Program, the Commission may do the following:

- 23           (1) Establish a centralized database with linkages to Medicaid databases to  
24           enable review of each participant's prescription drug regimen, and to  
25           ensure quality of services, quality of care, and cost effectiveness. The  
26           database shall comply with all State and federal privacy protection  
27           requirements and shall be accessible only to participating pharmacists,  
28           primary care physicians, and case managers.  
29           (2) Use reserved funds authorized under this section to contract with  
30           public and private entities to provide prescription drug assistance  
31           services.  
32           (3) Use reserved funds authorized under this section to award grants to  
33           applicants eligible under G.S. 147-86.31 to receive grant funds. Grant  
34           funds may be used to subsidize costs of hiring and training staff to  
35           operate drug acquisition software.

36           **SECTION 1.(c)** The Commission shall provide for ongoing evaluation of  
37 the Program to measure its usage and effectiveness. The Commission shall include in its  
38 annual report required under G.S. 147-86.35 the use of funds for and activities of the  
39 Senior Prescription Drug Access Program, and the results of its Program evaluation.  
40 The report shall include data on the number of persons who received services, fees  
41 authorized, and the geographic distribution of Program services.

42           **SECTION 2.** There is appropriated from the General Fund to the  
43 Department of Health and Human Services the sum of one million dollars (\$1,000,000)

1 for the 2002-2003 fiscal year. These funds shall be used for the Prescription Drug  
2 Assistance Program.

3           **SECTION 3.** This act becomes effective July 1, 2002.