

Sater



Mr. Speaker: I am instructed by the Senate to inform the House of

Representatives that the Senate has taken up and passed

SS SCS HCS HB 1563

entitled:

AN ACT

To repeal sections 195.060, 195.080, 334.104, 334.747, 337.300, 337.305, 337.310, 337.315, 337.325, 337.345, 338.315, 338.333, and 660.315, RSMo, and to enact in lieu thereof fifteen new sections relating to healthcare services, with a penalty provision and an emergency clause for a certain section.

WITH SA 1

EC. ADOPTED

In which the concurrence of the House is respectfully requested.

Respectfully,

Terry L. Spieler
Secretary of the Senate

MAY 14 2012

SENATE AMENDMENT NO. 1Offered by Schaefer of BooneAmend SS SCS/HCS/House Bill No. 1563, Page 31/5, Section 338.315, Line 20/29, TS

2 by inserting after all of said line the following:

3 "338.320. 1. There is hereby established the "Missouri
 4 Electronic Prior Authorization Committee" in order to facilitate,
 5 monitor, and report to the general assembly on Missouri-based
 6 efforts to contribute to the establishment of national electronic
 7 prior authorization standards. Such efforts shall include the
 8 Missouri-based electronic prior authorization pilot program
 9 established under subsection 5 of this section and the study and
 10 dissemination of information by the committee of the efforts of
 11 the National Council on Prescription Drug Programs (NCPDP) to
 12 develop national electronic prior authorization standards. The
 13 committee shall advise the general assembly and the department of
 14 insurance, financial institutions and professional registration
 15 as to whether there is a need for administrative rules to be
 16 promulgated by the department of insurance, financial
 17 institutions and professional registration as soon as practically
 18 possible.

19 2. The Missouri electronic prior authorization committee
 20 shall consist of the following members:

21 (1) Two members of the senate, appointed by the president
 22 pro tempore of the senate;

offered 5-14-12
adopted 5-14-12

1 (2) Two members of the house of representatives, appointed
2 by the speaker of the house of representatives;

3 (3) One member from an organization of licensed physicians
4 in the state;

5 (4) One member who is a physician licensed in Missouri
6 pursuant to chapter 334;

7 (5) One member who is a representative of a Missouri
8 pharmacy benefit management company;

9 (6) One member from an organization representing licensed
10 pharmacists in the state;

11 (7) One member from the business community representing
12 businesses on health insurance issues;

13 (8) One member from an organization representing the
14 leading research-based pharmaceutical and biotechnology
15 companies;

16 (9) One member from an organization representing the
17 largest generic pharmaceutical trade association;

18 (10) One patient advocate;

19 (11) One member from an electronic prescription network
20 that facilitates the secure electronic exchange of clinical
21 information between physicians, pharmacies, payers, and pharmacy
22 benefit managers and other health care providers;

23 (12) One member from a Missouri-based electronic health
24 records company;

25 (13) One member from an organization representing the
26 largest number of hospitals in the state;

27 (14) One member from a health carrier as such term is
28 defined under section 376.1350;

29 (15) One member from an organization representing the

1 largest number of health carriers in the state, as such term is
2 defined under section 376.1350;

3 (16) The director of the department of social services, or
4 the director's designee;

5 (17) The director of the department of insurance, financial
6 institutions and professional registration, who shall be chair of
7 the committee.

8 3. All of the members, except for the members from the
9 general assembly, shall be appointed by the governor no later
10 than September 1, 2012, with the advice and consent of the
11 senate. The staff of the department of insurance, financial
12 institutions and professional registration shall provide
13 assistance to the committee.

14 4. The duties of the committee shall be as follows:

15 (1) Before February 1, 2019, monitor and report to the
16 general assembly on the Missouri-based electronic prior
17 authorization pilot program created under subsection 5 of this
18 section including a report of the outcomes and best practices
19 developed as a result of the pilot program and how such
20 information can be used to inform the national standard-setting
21 process;

22 (2) Obtain specific updates from the NCPDP and other
23 pharmacy benefit managers and vendors that are currently engaged
24 in pilot programs working toward national electronic prior
25 authorization standards;

26 (3) Correspond and collaborate with the NCPDP and other
27 such pilots through the exchange of information and ideas;

28 (4) Assist, when asked by the pharmacy benefit manager,
29 with the development of the pilot program created under

1 subsection 5 of this section with an understanding of information
2 on the success and failures of other pilot programs across the
3 country;

4 (5) Prepare a report at the end of each calendar year to be
5 distributed to the general assembly and governor with a summary
6 of the committee's progress and plans for the next calendar year,
7 including a report on Missouri-based efforts to contribute to the
8 establishment of national electronic prior authorization
9 standards. Such annual report shall continue until such time as
10 the NCPDP has established national electronic prior authorization
11 standards or this section has expired, whichever is sooner. The
12 first report shall be completed before January 1, 2013;

13 (6) Upon the adoption of national electronic prior
14 authorization standards by the NCPDP, prepare a final report to
15 be distributed to the general assembly and governor that
16 identifies the appropriate Missouri administrative regulations,
17 if any, that will need to be promulgated by the department of
18 insurance, financial institutions and professional registration,
19 in order to make those standards effective as soon as practically
20 possible, and advise the general assembly and governor if there
21 are any legislative actions necessary to the furtherance of that
22 end.

23 5. The department of insurance, financial institutions and
24 professional registration and the Missouri electronic prior
25 authorization committee shall recruit a Missouri-based pharmacy
26 benefits manager doing business nationally to volunteer to
27 conduct an electronic prior authorization pilot program in
28 Missouri. The pharmacy benefits manager conducting the pilot
29 program shall ensure that there are adequate Missouri licensed

1 physicians and an electronic prior authorization vendor capable
2 and willing to participate in a Missouri-based pilot program.
3 Such pilot program established under this section shall be
4 operational by January 1, 2014. The department and the committee
5 may provide advice or assistance to the pharmacy benefit manager
6 conducting the pilot program but shall not maintain control or
7 lead with the direction of the pilot program.

8 6. Pursuant to section 23.253 of the Missouri sunset act:

9 (1) The provisions of the new program authorized under this
10 section shall sunset automatically six years after the effective
11 date of this section unless reauthorized by an act of the general
12 assembly; and

13 (2) If such program is reauthorized, the program authorized
14 under this section shall sunset automatically twelve years after
15 the effective date of the reauthorization of this section; and

16 (3) This section shall terminate on September first of the
17 calendar year immediately following the calendar year in which
18 the program authorized under this section is sunset."; and

19 Further amend the title and enacting clause accordingly.

