

HCS SB 458 -- HEALTH CARE

SPONSOR: Sater (Jones)

COMMITTEE ACTIONS: Voted "Do Pass with Amendments" by the Standing Committee on Professional Registration and Licensing by a vote of 18 to 0. Voted "Do Pass with HCS" by the Select Committee on General Laws by a vote of 8 to 0.

This bill changes the laws regarding health care. In its main provisions, the bill:

(1) Allows certain advanced practice registered nurses, physician assistants, and assistant physicians to prescribe Schedule II - hydrocodone. Hydrocodone prescriptions are limited to a one five-day supply without refill;

(2) Adds physical therapists to the list of authorized health care practitioners who may issue a prescription for his or her patient to receive a disabled placard or license plate;

(3) Allows an applicant who has not passed the United State Medical Licensing Examination after three attempts to petition the State Board of Registration for the Healing Arts within the Department of Insurance, Financial Institutions and Professional Registration for an exception to the requirement based upon unusual or extenuating circumstances;

(4) Removes the provision requiring the board to issue a license to an applicant only if they are certified in areas of specialty by the American Board of Medical Specialties, the American Osteopathic Association, or other certifying agency approved by the board by rule;

(5) Prohibits the state from requiring any form of maintenance of licensure as a condition of physician licensure. Current requirements including continuous medical education must suffice to demonstrate professional competency. The state must not require any form of specialty medical board certification or any maintenance of certification to practice medicine in this state. The state board or any other state agency must not discriminate against physicians who do not maintain specialty medical board certification including recertification;

(6) Provides that the Board of Pharmacy must not renew a nonresident pharmacy license if the applicant does not hold a current pharmacy license in the state in which the nonresident pharmacy is located. The board must not renew an out-of-state wholesale drug distributor, out-of-state pharmacy distributor, or

drug distributor license if the applicant does not hold a current license in the state in which the distribution facility is located. If the applicant is a drug distributor registrant then the entity must be authorized and in good standing with the Food and Drug Administration or within the state where the facility is located in order for the board to renew the registration;

(7) Requires health carrier or managed care plan offering a health benefit plan that provides prescription drug coverage to offer as part of the plan medication synchronization services developed by the carrier or plan that allows for the alignment of refill dates for an enrollee's prescription drugs that are covered benefits. Under this medication synchronization service the plan or carrier is prohibited from charging an amount in excess of the otherwise applicable co-payment amount under the plan for dispensing a prescription in a quantity less than the prescribed amount if certain requirements are met as specified in the bill and must provide a full dispensing fee to the pharmacy that dispenses the prescription drug to the covered person; and

(8) Allows the State Board of Optometry within the Department of Insurance, Financial Institutions and Professional Registration to request the court to issue an injunction, restraining order, or other appropriate order to stop an entity that is dispensing or selling contact lenses without a valid prescription from a licensed optometrist or physician.

PROPONENTS: Supporters say that this is a consumer protection issue. It just requires these drug distributors to be licensed in their home state prior to conducting business in Missouri.

Testifying for the bill were Senator Sater; Kimberly Grinston, Missouri Board of Pharmacy; and Division of Professional Registration.

OPPONENTS: There was no opposition voiced to the committee.