



General Assembly

February Session, 2012

Raised Bill No. 392

LCO No. 1362

01362_____HS_

Referred to Committee on Human Services

Introduced by:
(HS)

AN ACT CONCERNING PHARMACY MEDICAID REIMBURSEMENT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-280 of the 2012 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective July 1, 2012*):

4 (a) The state shall reimburse for all legend drugs provided under
5 medical assistance programs administered by the Department of Social
6 Services at the lower of (1) the rate established by the Centers for
7 Medicare and Medicaid Services as the federal acquisition cost, (2) the
8 average wholesale price minus sixteen per cent for chain pharmacies
9 and fourteen per cent for independent pharmacies, or (3) an equivalent
10 percentage as established under the Medicaid state plan. The state
11 shall pay a professional fee of two dollars to licensed chain pharmacies
12 and four dollars to independent pharmacies for each prescription
13 dispensed to a recipient of benefits under a medical assistance
14 program administered by the Department of Social Services in
15 accordance with federal regulations. On and after September 4, 1991,
16 payment for legend and nonlegend drugs provided to Medicaid

17 recipients shall be based upon the actual package size dispensed.
18 Effective October 1, 1991, reimbursement for over-the-counter drugs
19 for such recipients shall be limited to those over-the-counter drugs and
20 products published in the Connecticut Formulary, or the cross
21 reference list, issued by the commissioner. The cost of all over-the-
22 counter drugs and products provided to residents of nursing facilities,
23 chronic disease hospitals, and intermediate care facilities for the
24 mentally retarded shall be included in the facilities' per diem rate.
25 Notwithstanding the provisions of this subsection, no dispensing fee
26 shall be issued for a prescription drug dispensed to a ConnPACE or
27 Medicaid recipient who is a Medicare Part D beneficiary when the
28 prescription drug is a Medicare Part D drug, as defined in Public Law
29 108-173, the Medicare Prescription Drug, Improvement, and
30 Modernization Act of 2003.

31 (b) The Department of Social Services may provide an enhanced
32 dispensing fee to a pharmacy enrolled in the federal Office of
33 Pharmacy Affairs Section 340B drug discount program established
34 pursuant to 42 USC 256b or a pharmacy under contract to provide
35 services under said program.

36 (c) For purposes of this section, "chain pharmacy" means a
37 community pharmacy that is publicly traded. "Independent pharmacy"
38 is a community pharmacy that is privately owned and has twenty or
39 fewer stores in the state. "Community pharmacy" is defined in section
40 20-631a. "Legend drug" is defined in section 20-571.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2012	17b-280

Statement of Purpose:

To expand consumer options by establishing more equitable reimbursement rates for pharmacies.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]