

HCS SCS SB 28 -- IMPAIRED PHARMACIST WELL-BEING COMMITTEE AND
PHARMACEUTICAL FINANCIAL ASSISTANCE

SPONSOR: Dolan (Threlkeld)

COMMITTEE ACTION: Voted "do pass" by the Committee on
Professional Registration and Licensing by a vote of 11 to 0.

This substitute allows the Missouri State Board for Pharmacy to establish the Well-being Committee to aid pharmacists who suffer from illness, substance abuse, mental illness, or physical impairments. The board will enter into contractual agreements with nonprofit corporations for the purpose of creating, supporting, and maintaining the committee. All communications involving the licensee and the committee are confidential and not considered public records.

The committee may disclose information about an impaired licensee when it is necessary to further the intervention, treatment, or rehabilitation of the licensee; the release is authorized by the licensee; the committee must make a report to the board; or the information is subject to a court order.

The substitute specifies that anti-kickback laws relating to referrals for health care services do not apply to certain programs established by pharmaceutical companies to provide financial assistance to individuals with chronic, potentially debilitating, or life-threatening conditions who have been prescribed disease-managing medications for which there is no generic equivalent.

FISCAL NOTE: No impact on General Revenue Fund in FY 2006, FY 2007, and FY 2008. Estimated Effect on Other State Funds of an Income of \$0 in FY 2006, a Cost of \$123,600 in FY 2007, and a Cost of \$127,308 in FY 2008.

PROPONENTS: Supporters say that persons with multiple sclerosis can only take certain disease modifying drugs. These drugs are very expensive, averaging between \$12,000 and \$18,000 a year. Due to the high cost of these drugs, most insurance plans have gone from co-pay to co-insurance, a percentage of the cost. The cost of co-insurance has placed a significant financial burden on persons with multiple sclerosis. The drug companies are willing to help by providing rebates to patients. Currently, Missouri's anti-kickback law prohibits this type of rebating, but the bill will allow the drug companies to provide some relief for the patients.

Testifying for the bill was Representative Threlkeld.

OPPONENTS: There was no opposition voiced to the committee.

Bob Dominique, Legislative Analyst