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# A BILL FOR AN ACT

RELATING TO MEDICATION SYNCHRONIZATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that more than twenty-  
2 three per cent of Americans currently use three or more  
3 prescription medications, while eleven per cent of Americans  
4 take five or more medications. According to the most recent  
5 data from the federal Centers for Disease Control and  
6 Prevention, the costs of treating patients with chronic diseases  
7 account for eighty-six per cent of all health care costs in the  
8 United States. However, only fifty per cent of those on  
9 maintenance medications for chronic diseases adhere to their  
10 prescription therapies.

11           The legislature recognizes that studies have shown that  
12 medication adherence is critical to long-term positive patient  
13 outcomes, and that prescription medications are important tools  
14 that can assist in the management of chronic diseases. However,  
15 patients often delay or miss their medication refills due to  
16 confusion over when refills are needed for prescriptions.



1           The legislature further finds that more than fifteen states  
2 have passed legislation that enables pharmacies and patients to  
3 work together with their practitioners to synchronize the  
4 dispensing of medications. Medication synchronization  
5 facilitates the coordination of medication refills so that  
6 patients who take two or more maintenance medications for  
7 chronic conditions can refill their medications on the same  
8 schedule. Medication synchronization improves patient health by  
9 improving medication adherence rates, minimizing disruptions in  
10 treatment, simplifying patient and caregiver routines,  
11 streamlining trips to the pharmacy, reducing costs to insurers,  
12 promoting efficient workflow in pharmacies, and synchronizing  
13 all of a patient's medications for one pickup day every month.

14           Accordingly, the purpose of this Act is to allow the  
15 synchronization of plan participants' medications by requiring  
16 health plans, policies, contracts, or agreements that are  
17 offered by health insurers, mutual benefit societies, and health  
18 maintenance organizations and provide prescription drug benefits  
19 to apply prorated daily cost-sharing rates for prescriptions  
20 dispensed by network pharmacies for less than a thirty-day  
21 supply.



1 SECTION 2. Chapter 431, Hawaii Revised Statutes, is  
2 amended by adding a new section to part VI of article 10A to be  
3 appropriately designated and to read as follows:

4 "§431:10A- Medication synchronization; proration;  
5 dispensing fees. (a) Each individual or group policy of  
6 accident and health or sickness insurance that provides  
7 prescription drug coverage in the State shall apply a prorated  
8 daily cost-sharing rate to prescriptions that are dispensed by a  
9 network pharmacy for less than a thirty-day supply for the  
10 purpose of medication synchronization; provided that the insured  
11 patient requests or agrees to less than a thirty-day supply.

12 (b) For the purposes of medication synchronization under  
13 this section, the insurer that provides prescription drug  
14 coverage shall:

15 (1) Not deny coverage for the dispensing of a maintenance  
16 medication that is dispensed by a network pharmacy on  
17 the basis that the dispensed amount is a partial  
18 supply and the insured patient requests or agrees to a  
19 partial supply; and



1       (2) Authorize a network pharmacy to override any denial  
2       codes indicating that a prescription is being refilled  
3       too soon.

4       (c) No policy providing prescription drug coverage shall  
5       use payment structures incorporating prorated dispensing fees.  
6       Dispensing fees for partially filled or refilled prescriptions  
7       shall be paid in full for each prescription dispensed,  
8       regardless of any prorated copayment for the beneficiary or fee  
9       paid for medication synchronization services.

10       (d) A network pharmacy shall identify an anchor  
11       prescription to which all other prescriptions may be subject to  
12       medication synchronization; provided that any medication  
13       dispensed in an unbreakable package shall not be considered the  
14       anchor prescription for purposes of this section.

15       (e) No schedule II narcotic controlled substance listed in  
16       section 329-16 shall be eligible for medication synchronization  
17       under this section.

18       (f) For purposes of this section:

19       "Medication synchronization" means the coordination of  
20       medication refills that are being dispensed by a single  
21       contracted pharmacy to an insured patient taking two or more



1 medications for one or more chronic conditions so that the  
2 patient's medications are refilled on the same schedule for a  
3 given time period.

4 "Unbreakable package" means a medication form or package  
5 that is to be dispensed in its original container. The term  
6 "unbreakable package" includes but is not limited to eye drops,  
7 inhalers, creams, and ointments."

8 SECTION 3. Chapter 432, Hawaii Revised Statutes, is  
9 amended by adding a new section to part VI of article 1 to be  
10 appropriately designated and to read as follows:

11 "§432:1- Medication synchronization; proration;  
12 dispensing fees. (a) Each hospital or medical service plan  
13 contract that provides prescription drug coverage in the State  
14 shall apply a prorated daily cost-sharing rate to prescriptions  
15 that are dispensed by a network pharmacy for less than a thirty-  
16 day supply for the purpose of medication synchronization;  
17 provided that the member patient requests or agrees to less than  
18 a thirty-day supply.

19 (b) For the purposes of medication synchronization under  
20 this section, the mutual benefit society that provides  
21 prescription drug coverage shall:



1       (1) Not deny coverage for the dispensing of a maintenance  
2       medication that is dispensed by a network pharmacy on  
3       the basis that the dispensed amount is a partial  
4       supply and the member patient requests or agrees to a  
5       partial supply; and

6       (2) Authorize a network pharmacy to override any denial  
7       codes indicating that a prescription is being refilled  
8       too soon.

9       (c) No plan contract providing prescription drug coverage  
10      shall use payment structures incorporating prorated dispensing  
11      fees. Dispensing fees for partially filled or refilled  
12      prescriptions shall be paid in full for each prescription  
13      dispensed, regardless of any prorated copayment for the  
14      beneficiary or fee paid for medication synchronization services.

15      (d) A network pharmacy shall identify an anchor  
16      prescription to which all other prescriptions may be subject to  
17      medication synchronization; provided that any medication  
18      dispensed in an unbreakable package shall not be considered the  
19      anchor prescription for purposes of this section.

20      (e) No schedule II narcotic controlled substance listed in  
21      section 329-16 shall be eligible for medication synchronization.



1        (f) For purposes of this section:

2        "Medication synchronization" means the coordination of  
3 medication refills that are being dispensed by a single  
4 contracted pharmacy to a member patient taking two or more  
5 medications for one or more chronic conditions so that the  
6 patient's medications are refilled on the same schedule for a  
7 given time period.

8        "Unbreakable package" means a medication form or package  
9 that is to be dispensed in its original container. The term  
10 unbreakable package includes but is not limited to eye drops,  
11 inhalers, creams, and ointments."

12        SECTION 4. Chapter 432D, Hawaii Revised Statutes, is  
13 amended by adding a new section to be appropriately designated  
14 and to read as follows:

15        "§432D- Medication synchronization; proration;  
16 dispensing fees. (a) Each health maintenance organization  
17 policy, contract, plan, or agreement that provides prescription  
18 drug coverage in the State shall apply a prorated daily cost-  
19 sharing rate to prescriptions that are dispensed by a network  
20 pharmacy for less than a thirty-day supply for the purpose of



1 medication synchronization; provided that the enrollee patient  
2 requests or agrees to less than a thirty-day supply.

3 (b) For the purposes of medication synchronization under  
4 this section, the health maintenance organization that provides  
5 prescription drug coverage shall:

6 (1) Not deny coverage for the dispensing of a maintenance  
7 medication that is dispensed by a network pharmacy on  
8 the basis that the dispensed amount is a partial  
9 supply and the enrollee patient requests or agrees to  
10 a partial supply; and

11 (2) Authorize a network pharmacy to override any denial  
12 codes indicating that a prescription is being refilled  
13 too soon.

14 (c) No policy, contract, plan, or agreement providing  
15 prescription drug coverage shall use payment structures  
16 incorporating prorated dispensing fees. Dispensing fees for  
17 partially filled or refilled prescriptions shall be paid in full  
18 for each prescription dispensed, regardless of any prorated  
19 copayment for the beneficiary or fee paid for medication  
20 synchronization services.



1        (d) A network pharmacy shall identify an anchor  
2 prescription to which all other prescriptions may be subject to  
3 medication synchronization; provided that any medication  
4 dispensed in an unbreakable package shall not be considered the  
5 anchor prescription for purposes of this section.

6        (e) No schedule II narcotic controlled substance listed in  
7 section 329-16 shall be eligible for medication synchronization.

8        (f) For purposes of this section:

9        "Medication synchronization" means the coordination of  
10 medication refills that are being dispensed by a single  
11 contracted pharmacy to an enrollee patient taking two or more  
12 medications for one or more chronic conditions so that the  
13 patient's medications are refilled on the same schedule for a  
14 given time period.

15        "Unbreakable package" means a medication form or package  
16 that is to be dispensed in its original container. The term  
17 unbreakable package includes but is not limited to eye drops,  
18 inhalers, creams, and ointments."

19        SECTION 5. Section 461-1, Hawaii Revised Statutes, is  
20 amended by amending the definition of "practice of pharmacy" to  
21 read as follows:



1        "Practice of pharmacy" means:

2        (1) The interpretation and evaluation of prescription  
3           orders; the compounding, dispensing, and labeling of  
4           drugs and devices (except labeling by a manufacturer,  
5           packer, or distributor of nonprescription drugs and  
6           commercially legend drugs and devices); the  
7           participation in drug selection and drug utilization  
8           reviews; the proper and safe storage of drugs and  
9           devices and the maintenance of proper records  
10          therefor; the responsibility for advising when  
11          necessary or where regulated, of therapeutic values,  
12          content, hazards, and use of drugs and devices; and  
13          the interpretation and evaluation of prescription  
14          orders to adjust the supply dispensed for purposes of  
15          medication synchronization pursuant to section  
16          431:10A-     , 432:1-     , or 432D-     ;

17        (2) Performing the following procedures or functions as  
18           part of the care provided by and in concurrence with a  
19           "health care facility" and "health care service" as  
20           defined in section 323D-2, or a "pharmacy" or a  
21           licensed physician or a licensed advanced practice



1 registered nurse with prescriptive authority, or a  
2 "managed care plan" as defined in section 432E-1, in  
3 accordance with policies, procedures, or protocols  
4 developed collaboratively by health professionals,  
5 including physicians and surgeons, pharmacists, and  
6 registered nurses, and for which a pharmacist has  
7 received appropriate training required by these  
8 policies, procedures, or protocols:

- 9 (A) Ordering or performing routine drug therapy  
10 related patient assessment procedures;
- 11 (B) Ordering drug therapy related laboratory tests;
- 12 (C) Initiating emergency contraception oral drug  
13 therapy in accordance with a written  
14 collaborative agreement approved by the board,  
15 between a licensed physician or advanced practice  
16 registered nurse with prescriptive authority and  
17 a pharmacist who has received appropriate  
18 training that includes programs approved by the  
19 American Council of Pharmaceutical Education  
20 (ACPE), curriculum-based programs from an ACPE-  
21 accredited college of pharmacy, state or local



- 1 health department programs, or programs  
2 recognized by the board of pharmacy;
- 3 (D) Administering drugs orally, topically, by  
4 intranasal delivery, or by injection, pursuant to  
5 the order of the patient's licensed physician or  
6 advanced practice registered nurse with  
7 prescriptive authority, by a pharmacist having  
8 appropriate training that includes programs  
9 approved by the ACPE, curriculum-based programs  
10 from an ACPE-accredited college of pharmacy,  
11 state or local health department programs, or  
12 programs recognized by the board of pharmacy;
- 13 (E) Administering:
- 14 (i) Immunizations orally, by injection, or by  
15 intranasal delivery, to persons eighteen  
16 years of age or older by a pharmacist having  
17 appropriate training that includes programs  
18 approved by the ACPE, curriculum-based  
19 programs from an ACPE-accredited college of  
20 pharmacy, state or local health department



1 programs, or programs recognized by the  
2 board of pharmacy;

3 (ii) Vaccines to persons between fourteen and  
4 seventeen years of age pursuant to section  
5 461-11.4; and

6 (iii) Human papillomavirus, Tdap (tetanus,  
7 diphtheria, pertussis), meningococcal, and  
8 influenza vaccines to persons between eleven  
9 and seventeen years of age pursuant to  
10 section 461-11.4;

11 (F) As authorized by the written instructions of a  
12 licensed physician or advanced practice  
13 registered nurse with prescriptive authority,  
14 initiating or adjusting the drug regimen of a  
15 patient pursuant to an order or authorization  
16 made by the patient's licensed physician or  
17 advanced practice registered nurse with  
18 prescriptive authority and related to the  
19 condition for which the patient has been seen by  
20 the licensed physician or advanced practice  
21 registered nurse with prescriptive authority;



1 provided that the pharmacist shall issue written  
2 notification to the patient's licensed physician  
3 or advanced practice registered nurse with  
4 prescriptive authority or enter the appropriate  
5 information in an electronic patient record  
6 system shared by the licensed physician or  
7 advanced practice registered nurse with  
8 prescriptive authority, within twenty-four hours;

9 (G) Transmitting a valid prescription to another  
10 pharmacist for the purpose of filling or  
11 dispensing;

12 (H) Providing consultation, information, or education  
13 to patients and health care professionals based  
14 on the pharmacist's training and for which no  
15 other licensure is required; or

16 (I) Dispensing an opioid antagonist in accordance  
17 with a written collaborative agreement approved  
18 by the board, between a licensed physician and a  
19 pharmacist who has received appropriate training  
20 that includes programs approved by the ACPE,  
21 curriculum-based programs from an ACPE-accredited



1 college of pharmacy, state or local health  
2 department programs, or programs recognized by  
3 the board;

4 (3) The offering or performing of those acts, services,  
5 operations, or transactions necessary in the conduct,  
6 operation, management, and control of pharmacy; and

7 (4) Prescribing and dispensing contraceptive supplies  
8 pursuant to section 461-11.6."

9 SECTION 6. New statutory material is underscored.

10 SECTION 7. This Act shall take effect on July 1, 2050, and  
11 shall be repealed on July 1, 2023; provided that the definition  
12 of "practice of pharmacy" in section 461-1, Hawaii Revised  
13 Statutes, shall be reenacted in the form in which it read on the  
14 day prior to the effective date of this Act.



**Report Title:**

Health Insurance; Medication Synchronization; Prescription Drug Coverage; Patients; Network Pharmacies

**Description:**

Allows the synchronization of plan participants' medications. Requires plans, policies, contracts, or agreements that are offered by health insurers, mutual benefit societies, and health maintenance organizations and provide prescription drug benefits, to apply prorated daily cost-sharing rates for prescriptions dispensed by network pharmacies for less than a thirty-day supply. Repeals 7/1/2023. Effective 7/1/2050.  
(SD1)

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