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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 according to recent  
2 data from the federal Centers for Disease Control and  
3 Prevention, more than twenty-three per cent of Americans use  
4 three or more prescription medications, while eleven per cent of  
5 Americans take five or more medications. Data from the Centers  
6 for Disease Control and Prevention also indicates that, although  
7 the treatment of patients with chronic diseases accounts for  
8 eighty-six per cent of the total health care spending in  
9 America, only fifty per cent of those on maintenance medications  
10 for chronic diseases adhere to their prescription therapies.

11       The legislature further finds that medication  
12 synchronization involves the coordination of a patient's  
13 medication refills, so that a patient who takes two or more  
14 maintenance medications for chronic conditions can refill the  
15 medications on the same schedule. Studies have shown that  
16 medication adherence is critical to long-term positive patient  
17 outcomes and that prescription medications are an important tool



1 that can help manage chronic diseases. Medication  
2 synchronization improves patient health by: improving  
3 medication adherence rates; minimizing disruptions in treatment  
4 due to delayed or missed refills because of confusion regarding  
5 when a prescription is due; simplifying patient and caregiver  
6 routines by streamlining trips to the pharmacy; reducing costs  
7 to insurers; and promoting efficient workflow in pharmacies by  
8 allowing pharmacists and patients to work together to  
9 synchronize a patient's medications for pick-up on the same day  
10 each month.

11 The legislature additionally finds that more than twenty  
12 states have passed legislation that enables pharmacies and  
13 patients to work together with health care practitioners to  
14 synchronize medications.

15 Accordingly, the purpose of this Act is to allow the  
16 synchronization of plan participants' medications by requiring  
17 health plans, policies, contracts, or agreements that are  
18 offered by health insurers, mutual benefit societies, and health  
19 maintenance organizations and provide prescription drug  
20 benefits, to apply prorated daily cost-sharing rates for



1 prescriptions dispensed by network pharmacies for less than a  
2 thirty-day supply.

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

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

15 (b) For purposes of this section, no insurer that provides  
16 prescription drug coverage shall deny coverage for the  
17 dispensing of a maintenance medication that is dispensed by a  
18 network pharmacy on the basis that the dispensed amount is a  
19 partial supply for the purpose of medication synchronization and  
20 the insured patient requests or agrees to a partial supply.



1        (c) For the purposes of medication synchronization  
2 pursuant to subsection (a), each insurer shall allow a network  
3 pharmacy to override any denial codes indicating that a  
4 prescription is being refilled too soon.

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

11       (e) A network pharmacy shall identify an anchor  
12 prescription to which all other prescriptions may be synced for  
13 the purposes of medication synchronization; provided that any  
14 medication dispensed in an unbreakable package shall be  
15 considered the anchor prescription for purposes of this section.

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

19       (g) For purposes of this section:

20       "Medication synchronization" means the coordination of  
21 medication refills for an insured patient taking two or more



1 medications for one or more chronic conditions that are being  
2 dispensed by a single contracted pharmacy, such that the  
3 patient's medications are refilled on the same schedule for a  
4 given time period for the purpose of improving medication  
5 adherence.

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

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

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



1        (b) For purposes of this section, no mutual benefit  
2 society that provides prescription drug coverage shall deny  
3 coverage for the dispensing of a maintenance medication that is  
4 dispensed by a network pharmacy on the basis that the dispensed  
5 amount is a partial supply for the purpose of medication  
6 synchronization and the member patient requests or agrees to a  
7 partial supply.

8        (c) For the purposes of medication synchronization  
9 pursuant to subsection (a), each mutual benefit society shall  
10 allow a network pharmacy to override any denial codes indicating  
11 that a prescription is being refilled too soon.

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

18        (e) A network pharmacy shall identify an anchor  
19 prescription to which all other prescriptions may be synced for  
20 the purposes of medication synchronization; provided that any



1 medication dispensed in an unbreakable package shall be  
2 considered the anchor prescription for purposes of this section.

3 (f) No schedule II narcotic controlled substance listed in  
4 section 329-16 shall be eligible for medication synchronization  
5 under this section.

6 (g) For purposes of this section:

7 "Medication synchronization" means the coordination of  
8 medication refills for an insured patient taking two or more  
9 medications for one or more chronic conditions that are being  
10 dispensed by a single contracted pharmacy, such that the  
11 patient's medications are refilled on the same schedule for a  
12 given time period for the purpose of improving medication  
13 adherence.

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

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



1       "§432D- Medication synchronization; proration;  
2 dispensing fees. (a) Each health maintenance organization  
3 policy, contract, plan, or agreement that provides prescription  
4 drug coverage in the State shall permit and apply a prorated  
5 daily cost-sharing rate to prescriptions that are dispensed by a  
6 network pharmacy for less than a thirty days' supply for the  
7 purpose of medication synchronization and the enrollee patient  
8 requests or agrees to less than a thirty-day supply.

9       (b) For purposes of this section, no health maintenance  
10 organization that provides prescription drug coverage shall deny  
11 coverage for the dispensing of a maintenance medication that is  
12 dispensed by a network pharmacy on the basis that the dispensed  
13 amount is a partial supply for the purpose of medication  
14 synchronization and the enrollee patient requests or agrees to a  
15 partial supply.

16       (c) For the purposes of medication synchronization  
17 pursuant to subsection (a), each health maintenance organization  
18 shall allow a network pharmacy to override any denial codes  
19 indicating that a prescription is being refilled too soon.

20       (d) No policy, contract, plan, or agreement providing  
21 prescription drug coverage shall use payment structures





1 incorporating prorated dispensing fees. Dispensing fees for  
2 partially filled or refilled prescriptions shall be paid in full  
3 for each prescription dispensed, regardless of any prorated  
4 copayment for the beneficiary or fee paid for medication  
5 synchronization services.

6 (e) A network pharmacy shall identify an anchor  
7 prescription to which all other prescriptions may be synced for  
8 the purposes of medication synchronization; provided that any  
9 medication dispensed in an unbreakable package shall be  
10 considered the anchor prescription for purposes of this section.

11 (f) No schedule II narcotic controlled substance listed in  
12 section 329-16 shall be eligible for medication synchronization  
13 under this section.

14 (g) For purposes of this section:

15 "Medication synchronization" means the coordination of  
16 medication refills for an insured patient taking two or more  
17 medications for one or more chronic conditions that are being  
18 dispensed by a single contracted pharmacy, such that the  
19 patient's medications are refilled on the same schedule for a  
20 given time period for the purpose of improving medication  
21 adherence.



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

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

8       "Practice of pharmacy" means:

9       (1) The interpretation and evaluation of prescription  
10       orders; the compounding, dispensing, and labeling of  
11       drugs and devices (except labeling by a manufacturer,  
12       packer, or distributor of nonprescription drugs and  
13       commercially legend drugs and devices); the  
14       participation in drug selection and drug utilization  
15       reviews; the proper and safe storage of drugs and  
16       devices and the maintenance of proper records  
17       therefor; the responsibility for advising when  
18       necessary or where regulated, of therapeutic values,  
19       content, hazards, and use of drugs and devices; and  
20       the interpretation and evaluation of prescription  
21       orders to adjust days' supply dispensed for purposes



1           of conducting medical synchronization for the insured  
2           patient's medications;

3           (2) Performing the following procedures or functions as  
4           part of the care provided by and in concurrence with a  
5           "health care facility" and "health care service" as  
6           defined in section 323D-2, or a "pharmacy" or a  
7           licensed physician or a licensed advanced practice  
8           registered nurse with prescriptive authority, or a  
9           "managed care plan" as defined in section 432E-1, in  
10          accordance with policies, procedures, or protocols  
11          developed collaboratively by health professionals,  
12          including physicians and surgeons, pharmacists, and  
13          registered nurses, and for which a pharmacist has  
14          received appropriate training required by these  
15          policies, procedures, or protocols:

- 16          (A) Ordering or performing routine drug therapy  
17               related patient assessment procedures;  
18          (B) Ordering drug therapy related laboratory tests;  
19          (C) Initiating emergency contraception oral drug  
20               therapy in accordance with a written  
21               collaborative agreement approved by the board,



1           between a licensed physician or advanced practice  
2           registered nurse with prescriptive authority and  
3           a pharmacist who has received appropriate  
4           training that includes programs approved by the  
5           American Council of Pharmaceutical Education  
6           (ACPE), curriculum-based programs from an ACPE-  
7           accredited college of pharmacy, state or local  
8           health department programs, or programs  
9           recognized by the board of pharmacy;

10       (D) Administering drugs orally, topically, by  
11       intranasal delivery, or by injection, pursuant to  
12       the order of the patient's licensed physician or  
13       advanced practice registered nurse with  
14       prescriptive authority, by a pharmacist having  
15       appropriate training that includes programs  
16       approved by the ACPE, curriculum-based programs  
17       from an ACPE-accredited college of pharmacy,  
18       state or local health department programs, or  
19       programs recognized by the board of pharmacy;

20       (E) Administering:



(i) Immunizations orally, by injection, or by intranasal delivery, to persons eighteen years of age or older by a pharmacist having appropriate training that includes programs approved by the ACPE, curriculum-based programs from an ACPE-accredited college of pharmacy, state or local health department programs, or programs recognized by the board of pharmacy;

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

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

(F) As authorized by the written instructions of a licensed physician or advanced practice registered nurse with prescriptive authority, initiating or adjusting the drug regimen of a



1 patient pursuant to an order or authorization  
2 made by the patient's licensed physician or  
3 advanced practice registered nurse with  
4 prescriptive authority and related to the  
5 condition for which the patient has been seen by  
6 the licensed physician or advanced practice  
7 registered nurse with prescriptive authority;  
8 provided that the pharmacist shall issue written  
9 notification to the patient's licensed physician  
10 or advanced practice registered nurse with  
11 prescriptive authority or enter the appropriate  
12 information in an electronic patient record  
13 system shared by the licensed physician or  
14 advanced practice registered nurse with  
15 prescriptive authority, within twenty-four hours;

16 (G) Transmitting a valid prescription to another  
17 pharmacist for the purpose of filling or  
18 dispensing;

19 (H) Providing consultation, information, or education  
20 to patients and health care professionals based



1 on the pharmacist's training and for which no  
2 other licensure is required; or

3 (I) Dispensing an opioid antagonist in accordance  
4 with a written collaborative agreement approved  
5 by the board, between a licensed physician and a  
6 pharmacist who has received appropriate training  
7 that includes programs approved by the ACPE,  
8 curriculum-based programs from an ACPE-accredited  
9 college of pharmacy, state or local health  
10 department programs, or programs recognized by  
11 the board;

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

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

17 SECTION 6. New statutory material is underscored.

18 SECTION 7. This Act shall take effect upon its approval  
19 and shall be repealed on July 1, 2023; provided that the  
20 definition of "practice of pharmacy" in section 461-1, Hawaii



1 Revised Statutes, shall be reenacted in the form in which it  
2 read on the day prior to the effective date of this Act.  
3





**Report Title:**

Health Insurance; Medication Synchronization; Prescription Drug Coverage; 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 organization 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. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

