
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 for
13 which the insured patient requests or agrees to less than a
14 thirty-day 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 subject to
13 medication synchronization; provided that any medication
14 dispensed in an unbreakable package shall be considered the
15 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 for which the member patient requests or
20 agrees to 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 subject to
20 medication synchronization; provided that any medication



1 dispensed in an unbreakable package shall be considered the
2 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 for which the enrollee
8 patient 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 subject to
8 medication synchronization; provided that any medication
9 dispensed in an unbreakable package shall be considered the
10 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 the supply dispensed for purposes of



1 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:



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

10 (ii) Vaccines to persons between fourteen and
11 seventeen years of age pursuant to section
12 461-11.4; and

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

18 (F) As authorized by the written instructions of a
19 licensed physician or advanced practice
20 registered nurse with prescriptive authority,
21 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 on July 1, 2050, and
19 shall be repealed on July 1, 2023; provided that the definition
20 of "practice of pharmacy" in section 461-1, Hawaii Revised



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



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. Effective 7/1/2050. (SD2)

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