

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Committee Substitute

for

Senate Bill 787

SENATORS TARR, HARDESTY, MARONEY, STOLLINGS, AND

PLYMALE, *original sponsors*

[Originating in the Committee on Health and Human

Resources; reported on February 19, 2020]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §33-53-1, relating to providing benefits to pharmacists for pharmacist care
3 rendered within the pharmacist's scope of practice if benefits would be provided for such
4 services performed by other health care providers; providing for reimbursement pursuant
5 to negotiations; and providing for effective date.

Be it enacted by the Legislature of West Virginia:

ARTICLE 53. HEALTH CARE SERVICES PROVIDED BY PHARMACISTS.

§33-53-1. Services provided by pharmacists.

1 (a) For health plans, policies, contracts, or agreements issued, amended, adjusted, or
2 renewed on or after January 1, 2021:

3 (1) Benefits may not be denied for any health care service performed by a pharmacist
4 licensed under §30-5-1 et seq. of this code if:

5 (A) The service performed was within the lawful scope of the pharmacist's license;

6 (B) The plan would have provided benefits if the service had been performed by another
7 health care provider; and

8 (C) The pharmacist is included in the plan's network of participating providers.

9 (2) The health plan shall include an adequate number of pharmacists in its network of
10 participating health care providers.

11 (b) The participation of pharmacies in the plan network's drug benefit does not satisfy the
12 requirement that plans include pharmacists in their network of participating health care providers.

13 (c) Health benefit plans, policies, contracts, or agreements issued, amended, adjusted, or
14 renewed on or after January 1, 2020, but before January 1, 2021, that delegate credentialing
15 agreements to contracted health care facilities shall accept credentialing for pharmacists
16 employed or contracted by those facilities. Health plans shall reimburse facilities for covered
17 services provided by network pharmacists within the pharmacists' scope of practice per
18 negotiations with the facility.

CS for SB 787

NOTE: The purpose of this bill is to provide benefits to pharmacists for care rendered within the pharmacist's scope of practice if such benefits would ordinarily be paid if the service was performed by another health care provider.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.