

Selected California Bills

Medpin has identified and summarized selected California bills relating to medication access by vulnerable patients. Please contact us if you have information or comments on any of these.

Approved by Governor

AB 1959 (Chu) State Auditor: Drugs

Requires a State Auditor report by May 31, 2005 that includes a comparison of state drug costs to those of other entities such as the federal and Canadian governments, and a determination of whether the state's procurement and reimbursement practices result in the lowest possible drug costs.

STATUS: Chapter 938, Statutes 2004.

AB 2151 (Jackson) Medi-Cal Reimbursement Rates

Allows a community clinic or free clinic that has a licensed drug dispensary to bill Medi-Cal or Family PACT for drugs purchased through the federal 340B program at the clinic's acquisition cost plus a dispensing fee of up to twelve dollars (\$12), or its usual charge made to the general public, whichever is less.

STATUS: Chapter 851, Statutes 2004.

AB 2184 (Plescia) Health Facilities Pharmacy Services: Automated Drug Delivery Systems

Allows a pharmacy to provide services to a nursing home through an automated drug delivery system. The system need not be at the same location as the pharmacy, but must be supervised by a licensed pharmacist.

STATUS: Chapter 342, Statutes 2004.

AB 2660 (Leno) Prescriptions: Issuance by a Pharmacist

Allows qualified pharmacists to assist physicians with drug therapy involving controlled substances that can only be handled by a health care professional with a DEA number.

STATUS: Chapter 191, Statutes 2004.

SB 1307 (Figueroa) Drug Wholesalers and Manufacturers

Adds or amends various sections of the Business & Professions code regarding requirements for pharmacies, out-of-state distributors, and nonresident wholesalers. Requires a pedigree, containing specified information, to accompany each distribution of a prescription drug.

STATUS: Chapter 857, Statutes 2004.

SB 1426 (Ducheny) Department of Corrections: Drug Utilization

Requires the Department of Corrections to adopt procedures to identify selected medication categories for development of utilization protocols based on best practices, and the use of generic and therapeutic substitutes. Requires the Department to develop treatment protocols based on the cost of medications, in coordination with the Department of General Services' prescription drug bulk purchasing program.

STATUS: Chapter 383, Statutes 2004.

SB 1765 (Sher) Pharmaceuticals: Marketing Practices

Requires pharmaceutical companies to establish a Comprehensive Compliance Program operative July 2005, that includes a specific dollar limit on gifts, promotional materials, or items or activities that pharmaceutical companies may give to a medical or health care professional, with certain exemptions.

STATUS: Chapter 927, Statutes 2004.

Vetoed by Governor

AB 1957 (Frommer) Department of Health Services Information

Requires review of state departments and agencies to determine which may save significantly by purchasing from Canadian and possibly other sources. Requires the California Department of Health Services to establish a web site presenting prescription drug price comparisons, including prices charged by Canadian pharmacies that provide mail order service to the United States and meet specified certification requirements. This web site shall not duplicate similar information on other web sites.

STATUS: Vetoed Sept. 29, 2004.

AB 1958 (Frommer) Public Employees' Retirement System Pharmaceutical Purchasing

Authorizes the Public Employees' Retirement System to establish or enter into a pharmaceutical purchasing consortium with private or public entities, and creates a state fund for consortium operations.

STATUS: Vetoed Sept. 29, 2004.

AB 1960 (Pavley) Pharmacy Benefits Management

Defines the term "pharmacy benefits manager" and requires managers to make specified disclosures, including total amount of rebates and discounts they will receive from drug companies, to purchasers or prospective purchasers. Specifies requirements for the pharmacy and therapeutics committee members

STATUS: Vetoed Sept. 29, 2004.

SB 1144 (Burton) General Services Purchasing

Provides that Canadian sources be included on the list of manufacturers and suppliers of single source or multisource drugs with whom the Department of General Services is authorized to contract. Also requires pursuit of appropriate federal waivers, and reporting of estimated costs and savings attributable to purchase from Canadian sources.

STATUS: Vetoed Sept. 29, 2004.

SB 1149 (Ortiz) Information on Canadian Pharmacies

Requires the California Board of Pharmacy to develop and disseminate information identifying pharmacies in Canada that meet specified standards for the safe acquisition, shipment, handling, and dispensing of prescription drugs to California residents. The Board shall collect \$1500 from each pharmacy seeking to be identified, and post information concerning pharmaceuticals suppliers operating outside of the United States that have violated safe shipment, handling, and processing standards.

STATUS: Vetoed Sept. 29, 2004.

SB 1333 (Perata) Canadian Sources for AIDS and Medi-Cal Purchases

Authorizes the Department of Health Services to reimburse for a drug purchased from a Canadian pharmacy by a Medi-Cal beneficiary or AIDS Drug Assistance Program. This bill shall be implemented only if the department determines that federal financial participation is available.

STATUS: Vetoed Sept. 29, 2004.

SB 1563 (Escutia) 340B-like Pricing

Requires a drug manufacturer to offer specified types of clinics prices that do not exceed 105% of the discounted prices specified under federal law. Also requires the manufacturer to disclose current, applicable prices to those clinics, and prohibits the clinic from reselling or transferring those drugs to someone who is not the clinic's patient.

STATUS: Vetoed Sept. 29, 2004.

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NOTE: Many of the Governor's veto messages are available on his website, under press releases section of the Legislative Update, at http://www.governor.ca.gov/state/govsite/gov_homepage.jsp

*Medpin works with safety net providers
to improve access to medicine and pharmaceutical care for people in need.*

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