

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

Senate Bill 787

BY SENATORS TARR, HARDESTY, MARONEY, STOLLINGS,

AND PLYMALE

[Introduced February 14, 2020; referred
to the Committee on Health and Human Resources]

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.

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 issued or renewed on or after January 1, 2021:

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

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

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

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

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

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

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

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.