

By: Representatives Reynolds, Baker (74th), Blackmon, Brown, Calhoun, Coleman (29th), Cummings, Dedeaux, Eaton, Franks, Gibbs, Green, Holloway, Jennings, Markham, Mayhall, McBride, Miles, Moak, Montgomery, Moss, Pierce, Robinson (63rd), Rogers (61st), Smith (59th), Vince, Ward, Watson, Weathersby, Whittington, Peranich

To: Public Health and Human Services; Appropriations

## HOUSE BILL NO. 850

1 AN ACT TO ESTABLISH THE MISSISSIPPI SENIOR RX PROGRAM IN THE  
 2 OFFICE OF AGING AND ADULT SERVICES OF THE DEPARTMENT OF HUMAN  
 3 SERVICES; TO PROVIDE THAT THE PURPOSE OF THE PROGRAM IS TO HELP  
 4 SENIOR CITIZENS ACCESS PHARMACEUTICAL MANUFACTURERS' DISCOUNT  
 5 CARDS AND PHARMACEUTICAL ASSISTANCE PROGRAMS AND TO ASSIST SENIORS  
 6 IN APPLYING FOR THOSE PROGRAMS; TO PROVIDE THAT THE OFFICE SHALL  
 7 COORDINATE THE OPERATION OF THE PROGRAM WITH OTHER STATE AGENCIES  
 8 THAT SERVE SENIORS TO MAXIMIZE THE SERVICES AVAILABLE AND MINIMIZE  
 9 THE PAPERWORK AND INCONVENIENCE TO THE SENIORS; TO SPECIFY THE  
 10 CRITERIA FOR ELIGIBILITY FOR THE PROGRAM; TO PROVIDE THAT THE  
 11 OFFICE SHALL PREPARE AND SUBMIT AN ANNUAL REPORT ON THE PROGRAM TO  
 12 CERTAIN STATE OFFICIALS; AND FOR RELATED PURPOSES.

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

14 **SECTION 1.** This act shall be known and may be cited as the  
 15 "Mississippi Senior Rx Program."

16 **SECTION 2.** As used in this act, the following terms shall  
 17 have the following meanings:

18 (a) "Federal poverty guidelines" means the most recent  
 19 poverty guidelines as published in the Federal Register by the  
 20 United States Department of Health and Human Services.

21 (b) "Income" means income from whatever source derived.

22 (c) "Office" means the Office of Aging and Adult  
 23 Services of the Department of Human Services.

24 (d) "Program" means the Mississippi Senior Rx Program  
 25 established in this act.

26 **SECTION 3.** (1) The Legislature finds that the  
 27 pharmaceutical manufacturers, seeing a need for such programs,  
 28 have created drug assistance programs to aid low-income seniors  
 29 with the cost of prescription drugs. The Legislature also finds  
 30 that many low-income seniors are unaware of those programs or  
 31 either do not know how to apply for or need assistance in applying  
 32 for the programs. It is the intent of the Legislature that a

33 program be implemented to assist seniors in assessing those  
34 programs.

35 (2) The Mississippi Senior Rx Program is established in the  
36 Office of Aging and Adult Services of the Department of Human  
37 Services to help seniors in accessing pharmaceutical  
38 manufacturers' discount cards and pharmaceutical assistance  
39 programs and to assist seniors in applying for those programs.  
40 The office shall coordinate the operation of the program with the  
41 Division of Medicaid, the State Department of Health, the  
42 Department of Mental Health, and the other offices of the  
43 Department of Human Services, to insure that the services  
44 available under the program are maximized and that paperwork and  
45 inconvenience to the seniors are minimized. The office shall  
46 provide application forms for the program to each of those  
47 agencies, so that qualified seniors may apply for the program at  
48 the local offices of any of those agencies.

49 (3) Eligibility shall be limited to residents of the State  
50 of Mississippi who meet all of the following criteria:

51 (a) Must be sixty (60) years of age or older;

52 (b) Must have a gross income that does not exceed three  
53 hundred percent (300%) of the federal poverty guidelines; and

54 (c) Must not have any prescription drug coverage and  
55 must not have voluntarily canceled a state or federal prescription  
56 drug program or a private prescription reimbursement plan within  
57 six (6) months before application for enrollment in the program.

58 **SECTION 4.** Subject to appropriation for the program, the  
59 office shall provide assistance to persons determined to be  
60 eligible for services authorized by this act. The assistance  
61 provided by the office shall include:

62 (a) Assisting seniors in accessing manufacturers'  
63 pharmaceutical assistance programs; and

64 (b) Assisting seniors in applying for manufacturers'  
65 pharmaceutical assistance programs.

66           **SECTION 5.** The office may seek and receive voluntary monies  
67 from any sources, including federal funds and gifts, which shall  
68 be expended for the purposes specified in this act. The office  
69 also may accept voluntary funding in the form of grants available  
70 to build community public sector and private sector partnerships.  
71 The office shall include within the development of the program the  
72 assistance of foundations, independent and chain community  
73 pharmacists, volunteers, state agencies, community groups, area  
74 agencies on aging, corporations, hospitals, physicians, and any  
75 other entity that can further the intent of the program.

76           **SECTION 6.** The office shall prepare and submit an annual  
77 report on the program to the Governor, Lieutenant Governor,  
78 Speaker of the House of Representatives, the chairman of the  
79 Senate Public Health and Welfare Committee and the chairman of the  
80 House Public Health and Human Services Committee. Those reports  
81 shall include the number of clients served, the number of  
82 prescriptions filled and refilled, and the value of the drugs  
83 provided.

84           **SECTION 7.** This act shall take effect and be in force from  
85 and after July 1, 2004.