

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, Scott, Straughter, Evans, Patterson, Hamilton (6th)

To: Public Health and Human Services; Appropriations

HOUSE BILL NO. 850
(As Passed the House)

1 AN ACT TO ESTABLISH THE MISSISSIPPI SENIORS AND INDIGENTS RX
2 PROGRAM IN THE STATE DEPARTMENT OF HEALTH; TO PROVIDE THAT THE
3 PURPOSE OF THE PROGRAM IS TO HELP SENIOR CITIZENS AND QUALIFIED
4 INDIGENTS ACCESS PHARMACEUTICAL MANUFACTURERS' DISCOUNT CARDS AND
5 PHARMACEUTICAL ASSISTANCE PROGRAMS AND TO PROVIDE SENIORS AND
6 QUALIFIED INDIGENTS WITH APPLICATIONS FOR THOSE PROGRAMS; TO
7 PROVIDE THAT THE DEPARTMENT SHALL COORDINATE THE OPERATION OF THE
8 PROGRAM WITH OTHER STATE AGENCIES TO MAXIMIZE THE SERVICES
9 AVAILABLE AND MINIMIZE THE PAPERWORK AND INCONVENIENCE TO THE
10 SENIORS AND QUALIFIED INDIGENTS; TO AUTHORIZE THE DEPARTMENT TO
11 DEVELOP, MAINTAIN AND MAKE AVAILABLE AN INTERNET-BASED APPLICATION
12 FORM TO THE GENERAL PUBLIC AND TO THOSE OTHER STATE AGENCIES SO
13 THAT SENIORS AND QUALIFIED INDIGENTS MAY GET APPLICATIONS FOR
14 PHARMACEUTICAL ASSISTANCE PROGRAMS AT THE LOCAL OFFICES OF ANY OF
15 THOSE STATE AGENCIES; TO PROVIDE THAT THE DEPARTMENT SHALL PREPARE
16 AND SUBMIT AN ANNUAL REPORT ON THE PROGRAM TO CERTAIN STATE
17 OFFICIALS; TO PROVIDE THAT THE STATE BOARD OF PHARMACY MAY
18 ESTABLISH AND MAINTAIN A CONTROLLED SUBSTANCES PRESCRIPTION
19 MONITORING PROGRAM, WHICH MAY BE AN ELECTRONIC SYSTEM FOR
20 MONITORING THE DISPENSING OF CONTROLLED SUBSTANCES IN THE STATE;
21 AND FOR RELATED PURPOSES.

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

23 **SECTION 1.** Sections 1 through 6 of this act shall be known
24 and may be cited as the "Mississippi Seniors and Indigents Rx
25 Program."

26 **SECTION 2.** As used in Sections 1 through 6 of this act, the
27 following terms shall have the following meanings:

28 (a) "Department" means the State Department of Health.

29 (b) "Program" means the Mississippi Seniors and
30 Indigents Rx Program established in Sections 1 through 6 of this
31 act.

32 **SECTION 3.** (1) The Legislature finds that many low income
33 seniors and other indigents are unaware of bona fide assistance
34 programs that are voluntarily offered by pharmaceutical
35 manufacturers to the elderly and underprivileged. It is the
36 intent of the Legislature to take steps necessary to make it more

37 widely known that such assistance is available and to make it
38 easier for people to apply for that assistance.

39 (2) The Mississippi Seniors and Indigents Rx Program is
40 established in the State Department of Health to help seniors and
41 qualified indigents in accessing pharmaceutical manufacturers'
42 discount cards and pharmaceutical assistance programs and to
43 provide seniors and qualified indigents with applications for
44 those programs. The department shall coordinate the operation of
45 the program with the Division of Medicaid, the Department of
46 Mental Health, the Department of Human Services and the State
47 Department of Rehabilitation Services to insure that the services
48 available under the program are maximized and that paperwork and
49 inconvenience to the seniors and qualified indigents are
50 minimized. The department may develop, maintain and make
51 available an Internet-based application form to the general public
52 and to each of those state agencies so that seniors and qualified
53 indigents may get applications for pharmaceutical assistance
54 programs at the local offices of any of those state agencies. The
55 department may coordinate with pharmaceutical manufacturers to
56 obtain program applications at no cost to the state.

57 **SECTION 4.** Subject to appropriation for the program, the
58 department may provide assistance to persons determined to be
59 eligible for services authorized by Sections 1 through 6 of this
60 act. The assistance provided by the department may include:

61 (a) Assisting seniors and qualified indigents in
62 accessing manufacturers' pharmaceutical assistance program
63 applications; and

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

66 **SECTION 5.** The department may seek and receive voluntary
67 monies from any sources, including federal funds and gifts, which
68 shall be expended for the purposes specified in Sections 1 through
69 6 of this act. The department also may accept voluntary funding

70 in the form of grants available to build community, public sector
71 and private sector partnerships. The department shall include
72 within the development of the program the assistance of
73 foundations, independent and chain community pharmacists,
74 volunteers, state agencies, community groups, religious groups,
75 area agencies on aging, corporations, hospitals, physicians, and
76 any other entity that can further the intent of the program.

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

85 **SECTION 7.** (1) The State Board of Pharmacy may establish
86 and maintain a controlled substances prescription monitoring
87 program, which may be an electronic system for monitoring the
88 dispensing of controlled substances in the state.

89 (2) The board may contract with a vendor to establish and
90 maintain the electronic monitoring system under guidelines
91 promulgated by the board.

92 (3) The board may promulgate such rules and regulations as
93 necessary to implement the program.

94 **SECTION 8.** This act shall take effect and be in force from
95 and after July 1, 2004.