

LFC Requester:	Christine Boerner
-----------------------	--------------------------

**AGENCY BILL ANALYSIS
2015 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original	<input checked="" type="checkbox"/>	Amendment	<input type="checkbox"/>	Date	<u>February 5, 2015</u>
Correction	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Bill No:	<u>HB274</u>

Sponsor:	<u>Rep. Deborah Armstrong</u>	Agency Code:	<u>Attorney General's Office (305)</u>
Short	<u>Health Coverage:</u>	Person Writing	<u>Roscoe A. Woods, AAG</u>
Title:	<u>Prescription Synchronization</u>	Phone:	<u>505.827.7416</u> Email <u>RWoods@nmag.gov</u>

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY15	FY16		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY15	FY16	FY17		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

This analysis is neither a formal Attorney General’s Opinion nor an Attorney General’s Advisory Letter. This is a staff analysis in response to an agency’s, committee’s, or legislator’s request.

BILL SUMMARY

Synopsis:

HB274 is an act adding sections to the Health Care Purchasing Act, the Public Assistance Act, the New Mexico Insurance Code, the Health Maintenance Organization Law, and the Non-profit Health Care Plan.

HB274 requires group or blanket health coverage plans, certificates of health insurance, health maintenance organizations, self-insurance plans, individual health plans, contracts and health insurance plans that provide a prescription benefit to enable enrollees/insureds to allow synchronization of prescription refills, and apply a prorated daily copayment or coinsurance for the fill of refill, if specified conditions are met.

HB274 appears to be aimed to allow pharmacists to coordinate a patient’s medications to ensure his or her recurring prescriptions may all be refilled at the same time and improve overall medication adherence.

FISCAL IMPLICATIONS

None pertaining to the AGO

SIGNIFICANT ISSUES

As indicated in the proposed sections of HB274, the language that reads “the prescribing practitioner or the pharmacist determines the fill or refill to be in the best interest of the patient[,]” may be too discretionary; and the “prorat[ion] [of] a dispensing fee” may be too vague.

Perhaps any discretion of the pharmacist and practitioner as it pertains to the HB274 and a patient’s best interest should be notated specifically as to the patient’s “adherence or convenience.”

And, in regards to the dispensing fees, HB 274 may need to provide guidance as to the determination of same, e.g., “dispensing fees shall be determined exclusively on the total number of prescriptions dispensed, not to exceed \$_____.”

HB274 may significantly improve adherence rates for patients taking multiple medications over an extended period of time.

PERFORMANCE IMPLICATIONS N/A

ADMINISTRATIVE IMPLICATIONS N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP N/A

TECHNICAL ISSUES N/A

OTHER SUBSTANTIVE ISSUES N/A

ALTERNATIVES

As indicated above.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS N/A