

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 896
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30395-MRa-118A

Short Title: Fair & Equitable Reimbursement/Pharmacists. (Public)

Sponsors: Representative Setzer.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR FAIR AND EQUITABLE REIMBURSEMENT OF HEALTH
3 CARE SERVICES OR PROCEDURES THAT ARE PERFORMED BY A PHARMACIST
4 WITHIN THAT PHARMACIST'S SCOPE OF PRACTICE AND THAT ARE
5 EQUIVALENT TO SERVICES PERFORMED BY OTHER HEALTH CARE
6 PROFESSIONALS AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF
7 INSURANCE.

8 The General Assembly of North Carolina enacts:

9 SECTION 1.(a) Part 7 of Article 50 of Chapter 58 of the General Statutes is amended
10 by adding a new section to read:

11 "**§ 58-50-296. Reimbursement and coverage of services provided by pharmacists.**

12 (a) For the purposes of this section, the following definitions apply:

13 (1) Health care services. – A health or medical procedure or service rendered by
14 a health care provider who does one of the following:

15 a. Provides testing, diagnosis, or treatment of a health condition, illness,
16 injury, or disease.

17 b. Dispenses drugs, medical devices, medical appliances, or medical
18 goods for the treatment of a health condition, illness, injury, or disease.

19 c. Administers a vaccine or medication.

20 (2) Pharmacist. – An individual licensed to practice pharmacy under Article 4A
21 of Chapter 90 of the General Statutes.

22 (b) Health benefit plans offered by insurers in this State shall reimburse a pharmacist at
23 the same rate that other health care providers are reimbursed when providing the same or
24 equivalent health care services or procedures as long as all of the following are met:

25 (1) The service or procedure was performed within the pharmacist's licensed
26 lawful scope of practice.

27 (2) The health benefit plan would have provided reimbursement if the service or
28 procedure had been performed by another health care provider.

29 (3) The pharmacist provided the service or procedure in compliance with any
30 requirements of the insurer related to the service or procedure.

31 (c) Insurers offering a health benefit plan in this State that delegate credentialing
32 agreements to contracted health care facilities shall accept credentialing for pharmacists
33 employed or contracted with those facilities.

34 (d) Insurers offering a health benefit plan in this State shall reimburse a contracted health
35 care facility or a contracted pharmacist directly for covered services performed by a pharmacist



* DRH30395 - MRA - 118A *

1 within that pharmacist's lawful scope of practice whether or not the pharmacist is a participating
2 provider in the insurer's provider network.

3 (e) The participation of a pharmacy in a drug benefit provider network of an insurer
4 offering a health benefit plan in this State shall not satisfy any requirement that insurers offering
5 health benefit plans include pharmacists in medical benefit provider networks.

6 (f) This section shall also apply to the following:

7 (1) Agents of an insurer offering a health benefit plan in this State.

8 (2) Third-party administrators, as defined under G.S. 58-56-2."

9 **SECTION 1.(b)** This section becomes effective October 1, 2021, and applies to
10 contracts entered into, renewed, or amended on or after that date.

11 **SECTION 2.** There is appropriated from the General Fund to the Department of
12 Insurance the sum of one hundred thousand dollars (\$100,000) in nonrecurring funds for the
13 2021-2022 fiscal year to be used by the Department to prepare for implementation of this act.

14 **SECTION 3.** Except as otherwise provided, this act becomes effective July 1, 2021.