



North Carolina Department of Public Safety

Adult Correction and Juvenile Justice

Roy Cooper, Governor
Erik A. Hooks, Secretary

Todd E. Ishee, Commissioner of Prisons
Chris Holland, Deputy Secretary

MEMORANDUM

TO: Joint Legislative Oversight Committee on Justice and Public Safety
Fiscal Research Division

FROM: Erik A. Hooks, Secretary *EAH*
Todd E. Ishee, Commissioner of Prisons *TH*

RE: 340B Program Partnership with UNC Health Care System

DATE: November 1, 2019

Pursuant to Session Law 2019-135, Section 9.(e) the Department of Public Safety and UNC-HCS shall report to the Joint Legislative Oversight Committee on Justice and Public Safety and the Fiscal Research Division by October 1, 2019, and monthly thereafter until implementation, regarding the progress made toward implementing the following requirements:

- *Section 9(a) The Department of Public Safety (DPS) shall partner with the University of North Carolina Health Care System (UNC-HCS) by October 1, 2019, to begin receiving all 340B Program savings realized from medications prescribed to inmates, but not administered, at a 340B Program-registered UNC-HCS site for non-HIV and non-HCV medications pursuant to subsections (b) and (c) of this section.*
- *Section 9(b) DPS shall direct that the prescribing authority of DPS providers be transferred to UNC-HCS providers for identified inmates treated at a 340B Program-registered UNC-HCS site.*
- *Section 9(c) DPS and UNC-HCS shall:*
 - *Identify the UNC-HCS inmate patients for whom shifting prescriptive authority to UNC-HCS is feasible and appropriate.*
 - *Establish a method for improving or maintaining quality and continuity of patient care once the prescriptive authority has shifted to UNC-HCS.*
 - *Develop mechanisms to ensure that the communication between the UNC-HCS prescriber and the DPS physician maintains the quality and continuity of care that inmates currently receive.*
 - *Select the UNC-HCS pharmacy, the DPS Apex Central Pharmacy, or a combination of both, as the pharmacy through which medications will be dispensed pursuant to this section.*
- *Section 9(d) The Department of Public Safety and UNC-HCS shall establish a Memorandum of Agreement to require UNC-HCS to pass through all of the 340B Program savings for medications.*

The Department of Public Safety (DPS) has been diligently working to become a registered, compliant participant of the 340B program. DPS completed 340B registration on October 15, 2019, and anticipates approval in November 2019. Given the complexity of 340B program compliance requirements, DPS is not at a point to address the complexities of Section 9 (a) through (d).

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