

Government Relations

- At Work For You -



INDEPENDENT
PHARMACY
COOPERATIVE

Enacted Legislation
Supported by IPC

2012-2024

IPC Government Relations

After more than a decade of Government Relations efforts, IPC is one of the most recognized community pharmacy advocacy organizations in the nation. The government relations team works tirelessly to advocate for legislation that will benefit independent pharmacies and their patients. With each year that passes we find new successes and new battles to fight. We work with state officials at the local level and advocated for change at the national level with a yearly visit to the U.S. Capitol.

This document details our successes dating back to 2012, allowing you to see how IPC's Government Relations team's influence has spread in recent years. Our team also has a presence within other organizations like the NCPA committees for both national and state legislation. You can learn more about our team below.

IPC Government Relations Team



Mark Kinney

Mark Kinney is the Executive Vice President of Government Relations at IPC. With more than 25 years of state and federal legislative experience, Kinney represents independent pharmacy nationwide. He has participated in numerous legislative conferences and committees and is a noted speaker for state and national pharmacy events.



John Covello

John Covello is the Senior Director of Government Relations at IPC. He uses over 35 years of federal, state and local government and lobbying experience to focus his efforts on state and national independent pharmacy issues, legislation and policy including PBM reform, patient choice, Medicaid managed care, and pharmacy provider billing status.



Jim Driscoll (Jim Driscoll Consulting LLC)

Jim Driscoll is a consultant for IPC with more than 20 years of lobbying experience. He focuses his efforts on community pharmacy issues including Medicaid reimbursement, PBM reform and regulation, and pharmacist provider billing status for health care services. Driscoll targets individual state concerns and provides assistance for the passage of pro-independent pharmacy legislation relating to these topics.

Contact the Government Relations Team :
governmentrelations@ipcrx.com or Call 608-478-1099

Legislation, Regulation, & Government Action By State

Arizona	1	North Dakota	2
Arkansas	1	Ohio	11
California	10	Oregon	3
Colorado	9	Pennsylvania	1
Florida	6	Texas	12
Idaho	2	Utah	2
Iowa	5	Washington	2
Illinois	3	Wisconsin	2
Indiana	1	Wyoming	2
Kentucky	3		
Michigan	5		
Minnesota	3		
Montana	7		
New Mexico	1		
New York	4		

Total **96 Laws, Regulations, and Government Actions in 24 States**

2023

California	AB 317: Provides pharmacists with provider billing status for all patient care authorized under Pharmacist scope authority.
Colorado	HB 23-1227: Creates PBM licensing and enforcement authority over PBMs under CO Insurance law with penalties for PBM violations.
Florida	Licenses and regulates PBM under Florida Insurance law with enforcement and penalties of violations. Regulated practices include: PBM-owned or affiliated pharmacies transparency; patient steering ban; pass through pricing to ban spread pricing; pharmacy network adequacy; clawbacks bans; reimbursement appeals procedures; PBM accreditation standards bans.
Idaho	HB 215: Gives authority to the director of the Department of Insurance to enforce existing PBM laws.
Idaho	HB 291: Addresses PBM audit practices, including a prohibition of extrapolation audits, and creates an appeals process.
Illinois	HB 3631: Prohibits PBMs from retaliating against pharmacists or pharmacies for utilizing PBM laws in courts, administrative hearings, or legislative committees.
Indiana	HB 1568: Allows pharmacists to prescribe and dispense hormonal contraceptive patches and self-administered contraception.
Michigan	SB 219: Permits pharmacists to independently administer ACIP recommended immunizations to patients 3 years and older; allows pharmacists to order and administer CLIA-waived tests.
Michigan	HB 4276: Makes Michigan Medicaid managed care Rx reimbursement reforms (NADAC and PDF) payment mandate permanent.
New York	The New York Medicaid Pharmacy Program (NYRx) was successfully implemented on April 1, 2023, carving out the pharmacy benefit from Medicaid managed care (\$400 million savings projected).
Ohio	Ohio Medicaid managed care single PBM contracted pharmacies received higher tiered PDF for claims between Oct. 1, 2022, and June 30, 2023, and permanently after June 30 th (nearly 6 percent increase).
Oregon	SB 608: Requires the Oregon Health Authority to conduct a cost of dispensing survey of Medicaid pharmacy providers every three years and to request a state plan amendment to change the professional dispensing fee for reimbursement. The first survey is to begin no later than Jan. 2, 2024.
Oregon	HB 2728: Requires PBMs to notify pharmacies about claims denials or reductions at the point of sale and prohibits retroactive fees.

Contact the Government Relations Team :
governmentrelations@ipcrx.com or Call 608-478-1099

2022

California	<p>MEDI-Cal - Successful start of Medicaid Carve out to FFS (NADAC & \$10.05) (\$380 Million net savings with full payment to pharmacy)</p> <p>State Budget bill Elimination of Medicaid FFS independent pharmacy claw back of ingredient cost payments (saved small pharmacies \$144 million)</p>
Colorado	Medicaid pharmacists provider billing status program implementation regulations (paid through State Medicaid FFS program)
Florida	Governor's Executive Order (22-164) requiring cost-based reimbursement pass through transparency for FL Medicaid managed care and FL State Public Employee Health Benefits Rx programs
Illinois	HB 4430: Authorizes pharmacists providing HIV PrEP/PEP patient care
New York	Public Comments Input for Development of Implementing Regulations for New York State PBM Licensure and Regulation Law
New Mexico	HB 42: Enacted full pharmacist provider billing status law
Ohio	Implemented Medicaid managed care single PBM contract to implement cost-based pass-through reimbursement (AAC drug reimbursement & 3 tier COD fees). Increases OH independent pharmacy fees reimbursement by 995%.
Oregon	HB 4034: Enacted disease specific Pharmacist provider billing status law

2021

Colorado	HB 21-1275: Modifies Colorado's Medicaid program to include payments to pharmacists when working in a collaborative practice agreement with a physician and allows clinical pharmacists services to be reimbursed at federally qualified health centers
Kentucky	Department of Medicaid: Medicaid Managed Care Rx program cost-based transparent (NADAC and COD PDF) independent pharmacy reimbursement mandate
Montana	SB 395: state licensure requirement for PBMs; prohibits PBMs from using deceptive advertising; requires PBMs to offer adequate provider networks
Michigan	Department of Medicaid: Medicaid Managed Care Rx program cost-based transparent (NADAC and COD PDF) independent pharmacy reimbursement mandate
North Dakota	HB 1492: Prohibits PBMs from holding pharmacies responsible for a fee for prescription claims processing/transaction fees
New York	S3762: Creates state licensure of PBMs and Regulation of PBM economic contract provisions (including ERISA plans) S3566: Expansion of Anti-Mandatory Mail Order law
Ohio	HB 110: Medicaid managed care Rx enhanced dispensing fee continues for two additional years
Texas	HB 1763: Prohibits PBMs from retroactively reducing claim amounts through effective rates, quality assurance programs, or other means; prohibits a PBM from reimbursing its affiliated pharmacies at higher rates than non-affiliated pharmacies; protects a pharmacy's right to offer home-delivery services; prohibits a PBM from requiring accreditation requirements that are more stringent than those required by the state or federal government; protects a pharmacy from PBM retaliation for exercising its rights under the bill. HB 1919: Prohibits a PBM/insurer or its affiliate from transferring patient data for a commercial purpose; prohibits a PBM/insurer from steering patients to, or requiring a patient to use, an affiliated pharmacy
Wisconsin	SB 3: Licensure and regulation of PBM practices (prohibits gag clauses, fair audit procedures, requires notice of pharmacy accreditation) SB 255: Requires the state Medicaid program to provide Medicaid reimbursement for medical services provided by licensed pharmacist

Contact the Government Relations Team :
governmentrelations@ipcrx.com or Call 608-478-1099

2020

California

AB 1710: Allows Pharmacists to administer all FDA Approved Vaccines.

New York

S 7506 (State Appropriations Act): Enactment of Medicaid managed care Rx program carve out to Medicaid Fee for Service payment (NADAC and cost to dispense fee).

Michigan

HB 5396 (State Appropriations Act): Mandate for transparent cost-based pharmacy reimbursement for Medicaid Managed Care prescription claims; protections against MCO: claim payment claw back; prior authorizations; fee increases

Ohio

Ohio Medicaid Department (OMD) award of Medicaid single PBM contract with transparent pass through payments mandate.

- Implementation of Appropriations Act Pharmacy lifeline additional dispensing fee (\$3/script).
 - Final regulations for Medicaid Pharmacists Medical Services Provider billing status.
-

Pennsylvania

HB 941: Authorize state study of Medicaid Managed Care Rx Program spread pricing. Authorizes PA Medicaid audit of PA MCO & requires PA Medicaid review of MCO Rx payment methodology Prohibits MCO Rx: claims payment clawbacks; patient steering; MCO spread pricing; undisclosed P-O-S transmission fees

2019

California

Executive Order N-01-2019: Carves out Medi-Cal prescription benefit from Medicaid Managed Care in 2021.

Medicaid State Plan Amendment 17-002: Provides CMS Medicaid FFS Outpatient Drug rule complaint Medicaid prescription claims reimbursement rates back to April 2017.

SB 159: Pharmacists gain prescribing authority for HIV PEP and PrEP drugs.

Iowa

SF 563: Requires PBMs to file an annual report with IA Insurance Department of its prescription drug benefit services program.

Illinois

HB 465: The Prescription Drug Affordability and Accessibility Act – 1) PBM activities in IL, 2) creates MAC updates and appeals requirements, 3) mandates MCO prescription data reporting to IL Medicaid.

Minnesota

SF 278: The Minnesota PBM Licensure and Regulation Act; requires a PBM to obtain a state license, requires PBMs to disclose rebate and pricing information to plan sponsors and MN commerce commissioner, requires PBM to provide pharmacies with an updated MAC list every seven business days, prohibits PBM pharmacist gag clauses on lower drug cost options, limits patient prescription cost-sharing at point of sale, prohibits PBM post-adjudication DIR-type clawback fees, creates anti-mandatory mail order mandate on PBMs, retroactively adjusts a claim for reimbursement submitted by a pharmacy, prohibits PBM specialty drug accreditation beyond federal and state pharmacy legal standards.

Montana

SB 270: Prohibits pharmacy benefit managers from penalizing a pharmacy or pharmacist for disclosing reimbursement criteria to an enrollee or for selling a more affordable alternative to a covered person. Additionally, prohibits a PBM from requiring a pharmacy to charge or collect a copayment from an enrollee that exceeds the total charges submitted by the network pharmacy.

SB 83: Prohibits PBM post-adjudication DIR-type clawback fees and specialty drug accreditation beyond federal and state pharmacy legal standards.

SB 100: Expands pharmacist's immunization authority.

Ohio

HB 166: State Appropriations Act. Contains an anti-pharmacists gag order and anti-claim clawback provisions. It also regulates Ohio MCO Activities and provides a two-year \$100 million supplement for an enhanced dispensing fee toward Medicaid managed care claims.

Contact the Government Relations Team :

governmentrelations@ipcrx.com or Call 608-478-1099

2018

Arkansas	SB 2: Fully and comprehensively mandates State regulation of PBM activities.
California	AB 315: Regulates PBM activities under state health insurance laws.
Colorado	HB 1112: Pharmacist Payment for Licensed Covered Services Health Care Services in underserved areas. HB 1284: Bans Pharmacy prescription costs disclosure “gag orders” in PBM contracts. HB 1313: Permits Pharmacists As Practitioners, Pharmacy Statewide Drug Therapy Protocols and Medicaid OTC prescribing. HB 1007: Authorizes and covers Pharmacists administered Substance Abuse Disorder treatment injections.
Florida	HB 351: Regulates PBM activities by – 1) mandating state registration of PBMs, 2) enforcement of MAC law updating prices, 3) prohibiting patient “clawback” fees, 4) banning Pharmacy prescription costs disclosure “gag orders” in PBM contracts.
Iowa	SF 2418: Prohibits PBMs from imposing – 1) patient “clawback” fees, 2) Pharmacy prescription costs disclosure “gag orders” in PBM contracts. SF 2322: Expands Pharmacists vaccines administration authority under standing orders.
Kentucky	SB 5: Mandates Medicaid prescription reforms through – 1) higher dispensing fees, 2) state established MCO Rx reimbursement rates, 3) state approval of MCO fees and contracts, 4) MCO fees assessment reporting.
Ohio	HB 101: “Epinephrine Accessibility Act”- Allows pharmacists greater authority and power to dispense and substitute epinephrine injectors. SB 265: Authorizes insurers to cover and pay for pharmacists provided pharmacy services (pharmacy provider status & pay).
Texas	Implementation of 2017-18 State Appropriations Act Rider 60 language relating to MCO pharmacy reimbursement.

Florida

Succeeded in having several Florida MCO open their networks to more independent pharmacy participants.

Successfully lobbying Florida Medicaid to adopt less stringent MCO network adequacy standards that resulted in significantly more FL IPC members being added to all FL MCO pharmacy networks.

Montana

HB 276: Improves MAC updates, prohibits “gag orders” prohibiting pharmacists from talking to a patient about drug prices, allows pharmacies to decline below costs prescriptions.

North Dakota

SB 2258: Prohibits patient prescription “clawback” fees and pharmacist-patient “gag orders” on prescription costs discussions.

SB 2301: Pharmacy specialty drug services protections against PBM restrictions and prohibitions.

Ohio

HB 49 (State Budget): Succeeded in having a COD based Medicaid prescription professional fee (4 tiers \$8.30 - \$13.64); avoided punitive flat fee for stores not completing Medicaid COD surveys.

Texas

HB 3218: Regulates PBM activities by the Texas Department of Insurance (TDI) requiring PBMs registration as “delegated entities.”

SB 894: Requires biennial statewide audits of Medicaid PBMs.

HB 1917: Continues statewide Medicaid Drug Formulary management (including PDL and PA authorization) by state HHS Commission (HHSC) Vendor Drug Program.

HB 1296: Medication Synchronization.

State Budget amendments:

(Rider 25) – New HHSC outcomes delivery models for cost effective and improved outcomes (i.e. comprehensive MTM).

(Rider 34) – HHSC review of Medicaid Prescription drug program (co-pays, drug benefit program flexibility, MCO audits).

(Rider 219) – HHSC study of state program prescription drug benefits review (i.e. single statewide claims PBM model; ACA provider fee reduction, reduced MCO guaranteed risk margin, transition for Medicaid FFS Rx reimbursement to NADAC and COD survey fee).

Contact the Government Relations Team :

governmentrelations@ipcrx.com or Call 608-478-1099

2016

Arizona **HB 2692:** PBM Audit protections.

California **AB 1114:** Medi-Cal coverage for select pharmacist provided services.

Ohio **SB 319:** MAC Transparency and Update law amendments.

Washington **SB 5857:** Strengthens state regulatory authority over pharmacy benefit managers.

Wyoming **HB 35:** MAC Transparency and Update law amendments.

2015

California **AB 627:** PBM Maximum Allowable Cost (MAC) Transparency.

AB 97: Hardship Provision Added to Medi-Cal Cuts.

Florida **HB 1049:** PBM MAC Update Provisions.

Iowa **HF 395:** Comprehensive PBM Regulation & Enforcement Provisions.

Montana **SB 211:** Procedures Established for PBM MAC Lists.

Ohio **HB 64/Ohio State Budget Act:** PBM MAC Transparency, Disclosure and Enforcement Provisions.

Texas **SB 332:** PBM MAC Transparency.

SB 202: Doctor Dispensing Rights Defeated.

Washington **SSB 5557:** Patient Access to Pharmacy Increased.

Wisconsin **SB 21/Wisconsin Budget Bill:** PBM MAC Update and Appeals Provisions.

2014

California	Medi-Cal Cuts: Mitigated the Scope and Amount of Medi-Cal Cuts to Pharmacy.
Colorado	HB 1359: Medication Synchronization. HB 14-1213: PBM MAC Transparency and Update Provisions.
Florida	SB 702: PBM Audit Practice Guidelines.
Iowa	HF 2297: PBM list and Reimbursement Guidelines.
Michigan	SB 656: PBM MAC Transparency & Appeals Process Provisions.
Minnesota	Omnibus Budget Amendment: PBM MAC Transparency, List Update & Appeals Process.
Ohio	SB 258: Common Sense PBM Audit Protections for Pharmacies.
Utah	SB 194: PBM MAC Contract Provisions and Appeal Rights Enacted; PBM Registration Required.

2012-13

Colorado	HB 13-1221: PBM Audit Standards.
Minnesota	HB 1236: Pharmacy Audit integrity.
Montana	SB 235: PBM Audit Integrity.
Texas	SB 1106: PBM MAC Transparency. HB 1358: Reasonable Audit Procedures for PBMs and MCOs. SB 404: Pharmacist Due-Process Protections.
Utah	HB 76: PBM Audit Procedure Reform.

Contact the Government Relations Team :
governmentrelations@ipcrx.com or Call 608-478-1099



INDEPENDENT
PHARMACY
COOPERATIVE

Government Relations

- At Work For You -

1550 Columbus Street, Sun Prairie, WI 53590

800-755-1531 • www.ipcrx.com