



**Act 292 of the 2022 Regular Legislative Session**

**Council on Medicaid Pharmacy Reimbursement**

**Wednesday, September 21st, 2022**

**1:00 p.m.**

**River Center Library**

**250 N. Blvd.**

**Baton Rouge, LA 70802**

Name	Committee Attendance	Attendance
Nikki Hollier	Louisiana Board of Pharmacy	Present
Melwyn Wendt	Louisiana Department of Health	Present
Dana Antoon	Louisiana Board of Pharmacy	Absent
Kim Wixson	Louisiana Pharmacists Association	Absent
Dr. Stewart Gordon	Physician (Senate Committee on Health & Welfare)	Present
M.J. Terrebonne	Pharmacist (Senate Committee on Health & Welfare)	Present
Doug Boudreaux	Pharmacist (House Committee on Health & Welfare)	Absent
Randal Johnson	Louisiana Independent Pharmacies Association	Present
Dr. Wanda Thomas	Physician (House Committee on Health & Welfare)	Absent
Jeff Gaude	National Association of Chain Drug Stores	Present
Pam Reed	LA Alliance of Retail Pharmacies	Present

- **Call to order**
  - The meeting was called to order at 1:00 p.m. by M.J. Terrebonne
- **Roll Call**
  - The roll was called by M.J. Terrebonne and a quorum was confirmed.
- **Review and approval of August 24<sup>th</sup> meeting minutes**
  - Faith Hollier moved to approve the minutes and Randal Johnson seconded the motion. The minutes were approved with no objection.
- **Approval of Bylaws**
  - M.J. Terrebonne noted, under article two, section two, there is a space after the word "his", which needs to be deleted. On page three, article four, section three, on the fourth line, the word "at" needs to be deleted.
  - Kim Sullivan said on page two, section five, there is a need for more clarity.

- Randal Johnson asked for further clarify regarding participation by video conference or phone. If the Council does not have a quorum, can the Council still meet and not vote. Kim Sullivan responded with yes, this is possible; however, it would not be considered an official meeting of the Council.
- M.J. Terrebonne stated a member attending via video conference will not be counted for the quorum should be added to the bylaws.
- Jeff Gaude motioned to approve the bylaws as amended and Randal Johnson second the motion. The motion passed with no objections.

- **Pharmacy Program Presentation**

- Melwyn Wendt, Rachael Broussard, and Sue Fontenot presented a PowerPoint entitled "Louisiana Medicaid Outpatient Pharmacy Benefit."
  - Major topics included: Medicaid Pharmacy Overview
  - LDH Pharmacy Staff
  - MCO Pharmacy Directors
  - Pharmacy Staff Duties
  - LDH Pharmacy Contracts
  - Federal and Supplemental Rebates
  - Example of Net Cost Pricing
  - Pharmacy Claims Reimbursement
  - Professional Dispensing Fee Cost of Dispensing Survey
  - LA Single PDL, Brand over generic, POS edits on Single PDL and PA Criteria on Single PDL
  - Drug Utilization Review
  - Lock-in
  - Pharmacy Data: (-State Fiscal Year 2021, Pharmacy Claims Comparison State Fiscal Year 2019, Pharmacy Claims Comparison State Fiscal Year 2020, and Pharmacy Claims Comparison State Fiscal Year 2021, Pharmacy PA Requests Denied during State Fiscal Year 2021, and Pharmacy Benefit Vaccines).
- Nikki Hollier asked will Humana patients have the same BIN and PCN number as fee-for-service beginning on January 1<sup>st</sup>. How will pharmacists know or be able to differentiate? LDH responded stating pharmacist will use the same BIN and PCN number.
  - Nikki Hollier expressed concern about being able to run reports for assessment purposes at the retail level to determine the expected reimbursement. LDH will take this issue back and investigate further.
- Dr. Gordon asked if posting for forty-five days has been helpful.
  - LDH response: This slows the process down because we could move faster, if we didn't have to post for forty-five days.
- Dr. Gordon asked if LDH reviews the medical policies as well.
  - LDH response: Only the drugs. Randal Johnson asked about the limits placed on maintenance meds and dispensing
    - Randal asked is this part of the state plan amendment or a policy change.

- LDH response: LDH has a list of maintenance medications in fee-for-service only. If pharmacy fills less than a thirty day supply, the second fill will not be reimbursed a dispensing fee.
- LDH stated the policy has been operationalized and this is a continuation of the policy.
- M.J. Terrebonne asked if there is any way to override the policy if necessary.
  - LDH response: Many items have been in the state plan for years. In 2016, CMS told LDH to take certain items out of the state plan, and keep it updated in the Medicaid Pharmacy Manual. There is a point of sale override.
- Nikki Hollier asked where the postings for MCO policy changes are located. Nikki Hollier said pharmacists and doctors probably do not realize they have a comment section. Nikki Hollier said to get valid feedback LDH needs to figure out a way to let the practitioners know about the comment section, and perhaps it could be posted in pharmacy facts.
  - LDH response: the information can be found on the LDH website under managed care, and the link for pharmacy.
- M.J. Terrebonne asked how many providers have not proceeded with enrollment and Randal asked if these providers will be notified.
  - LDH response: LDH is providing outreach to these providers to remind them to enroll.
- Randal asked if the providers will have the opportunity to re-enroll.
  - LDH response: Yes. If a provider does submit a packet, it will still be processed. Randal asked for the number of providers not enrolled.
    - Kolynda Parker stated LDH is currently completing provider enrollment webinars and several outreach activities, including phone calls to make sure all providers are aware about enrollment.
    - Kolynda Parker said 57.6 percent providers have not submitted applications and 38.5 percent of providers have submitted applications. However, providers can submit applications through December 31<sup>st</sup>. Also, all providers must enroll in the provider enrollment portal. During these webinars, LDH provides a time for questions and answers. You can access this information at Medicaid Provider Enrollment Portal.
- Nikki Hollier asked what is taking place to reach out the prescribers.
  - LDH response: LDH has several outreach activities including calling prescribers.
- Faith Hollier asked how this would impact the financial section and the cost for a pharmacy provider. What would be the acquisition cost, would the cost for the MCO be the same?
  - LDH response: the MCOs are paid a per-member per month (PMPM) fee. The MCOs reimburse the pharmacy providers after the claims are paid and send to Gainwell as an encounter.
- Jeff Gaude asked about the process to relocate a patient to a different pharmacy.
  - LDH response: patients can contact the MCO or contact fee for service to start the process and work with the patient.

- Randal asked what does the data state regarding out of state pharmacy.
- LDH response: The MCOs have a registry. Randal asked if LDH know the current number of mail order prescriptions.
- LDH response: LDH does not have an indicator. However, on the financial reporting requirements from the MCOs, the number of mail order prescriptions are listed.
- Randal asked if LDH can have out of state mail order prescriptions and out of state brick and mortar prescriptions that are being filled in the Medicaid program.
  - LDH response: not in fee for service, but yes, for the provider contracted with the MCOs.
- Nikki Hollier thanked LDH for putting this presentation together.
- For further detail please review the PowerPoint which can be found at Act 292 of the 2022 Regular Legislative Session Council on Medicaid Pharmacy Reimbursement | La Dept. of Health
- **Call for Public Testimony**
  - TJ Woodard from Prescriptions to Geaux voiced his concern with the pricing methodology. TJ Woodard stated, based on Myers and Stauffer, his company lose money on numerous claims. This is going to create an access to care issue. T.J. Woodard asked why isn't the state able to share some of the rebate, and make the pharmacist whole on the claim. Mr. Woodard stated he has about 800,000 in Focalin XR, which he has no use for and that his company cannot continue to fill Adderall at a loss.
    - LDH explained there are numerous factors which goes into the reimbursement process. LDH wants pharmacists to get paid and also, want to work with local pharmacies to make sure there are no issues. If the aggregate overall is better that's a balance we have to take with providers every day. With a NADAC reimbursement the overall Medicaid book of business is higher, but individual claims could be reimbursed below cost. When we were on AAC, there were less claims reimbursed below cost, but overall reimbursement was lower.
    - Mr. Woodard said he did not close either of his stores for Hurricane Ida. He expressed access to care concerns and stated he is willing to break even.
    - M.J. Terrebonne said given the fact these pharmacists continue to have issues, there should be some consideration to address these issues.
      - LDH response: when Myers and Stauffer visit, we can brainstorm with some of the options.
  - Nikki Hollier said she would like to see a methodology in place, where there is some middle ground. Nikki Hollier believes this will improve patient's access to branded drugs.
  - Randal said the information provided today was very beneficial.
  - Dr. Stewart Gordon asked if anyone on the Council or audience knows of a state who has a better process. If so, could they please share recommendations?

- **Future Council Meetings**

- The next Council meeting will be held Wednesday November 9<sup>th</sup> at 11:00 a.m. The meeting will take place at Louisiana Department of Health in the Bienville Building, Room 118.

- **Other Business**

- None

- **Adjournment**

- The meeting was adjourned 3:10 p.m.