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## ALLOW MAIL ORDER PRESCRIPTION SERVICES

**House Bill 5870**

**Sponsor: Rep. Stephen Ehardt**

**Committee: Senior Health, Security and  
Retirement**

**Complete to 7-5-00**

### **A SUMMARY OF HOUSE BILL 5870 AS INTRODUCED 6-1-00**

Under the Public Health Code, a pharmacist is subject to disciplinary action, including license suspension or revocation, for employing the mail to sell, distribute, or deliver a prescription drug if the prescription for the drug is received in the mail.

The bill would amend the code to allow pharmacists to offer mail order prescription services under certain conditions. All of the following requirements would apply:

- A health care payment or benefits plan could not restrict or limit the patient from choosing to receive the prescription or other pharmacy services from a local pharmacy;
- A health care payment or benefits plan could not differentiate reimbursement for pharmacy services between a mail order pharmacy and a local pharmacy;
- A health care payment or benefits plan could not provide an economic benefit or any other type of benefit, such as a difference in co-pay or quantity of drugs, for using a mail order pharmacy rather than a local pharmacy;
- A health care payment or benefits plan could not allow the dispensing of a 90-day supply of the prescribed drug until the patient had been taking the drug for at least 90 days;
- A prescription drug prescribed for a patient could not be kept in an uncontrolled environment for more than 24 hours and could not be temperature sensitive; and
- A health care payment or benefits plan would have to reimburse a local pharmacist for his or her time in resolving problems the patient may have with receiving a prescription through the mail or by common carrier.

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