

106TH CONGRESS
1ST SESSION

S. 1942

To amend the Older Americans Act of 1965 to establish grant programs to provide State pharmacy assistance programs and medication management programs.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 1999

Mr. JEFFORDS introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Older Americans Act of 1965 to establish grant programs to provide State pharmacy assistance programs and medication management programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pharmaceutical Aid
5 to Older Americans Act”.

6 **SEC. 2. AMENDMENT TO OLDER AMERICANS ACT OF 1965.**

7 Part B of title IV of the Older Americans Act of 1965
8 (42 U.S.C. 3034 et seq.) is amended by adding at the end
9 the following:

1 **“SEC. 429K. GRANTS FOR STATE PHARMACY ASSISTANCE**
2 **PROGRAMS.**

3 “(a) PROGRAM AUTHORIZED.—The Assistant Sec-
4 retary may award grants to States to provide and admin-
5 ister State pharmacy assistance programs.

6 “(b) PREFERENCE.—In awarding grants under sub-
7 section (a), the Assistant Secretary shall give preference
8 to States that propose to develop and implement State
9 pharmacy assistance programs, or to provide assistance to
10 State pharmacy assistance programs in existence on the
11 date of enactment of this section, that provide services for
12 underserved populations or for populations residing in
13 rural areas.

14 “(c) USE OF FUNDS.—A State that receives a grant
15 under subsection (a) shall use funds made available
16 through the grant to—

17 “(1) develop and implement a State pharmacy
18 assistance program, or to provide assistance to a
19 State pharmacy assistance program in existence on
20 the date of enactment of this section; and

21 “(2) prepare and submit an evaluation to the
22 Assistant Secretary on the implementation of, or
23 provision of, or assistance to a program described in
24 paragraph (1).

25 “(d) APPLICATION.—To be eligible to receive a grant
26 under subsection (a), a State shall submit to the Assistant

1 Secretary an application at such time, in such manner,
2 and containing such information as the Assistant Sec-
3 retary may require, including—

4 “(1) a description of a State pharmacy assist-
5 ance program that such State plans to develop and
6 implement, including information on the anticipated
7 number of individuals to be served, eligibility criteria
8 of individuals to be served, such as the age and in-
9 come level of such individuals, drugs to be covered
10 by the program, and performance measures to be
11 used to evaluate the program; or

12 “(2) a description of a State pharmacy assist-
13 ance program in existence on the date of enactment
14 of this section that such State plans to assist with
15 funds received under subsection (a), including infor-
16 mation on the number of individuals served, eligi-
17 bility criteria of individuals served, such as the age
18 and income level of such individuals, drugs covered
19 by the program, and performance measures used to
20 evaluate the program.

21 “(e) MINIMUM AMOUNT.—In awarding grants under
22 subsection (a), from the amount appropriated under sub-
23 section (l)(1) for each fiscal year, the Assistant Secretary
24 shall award, to each eligible State, an amount that is not
25 less than \$250,000.

1 “(f) DURATION OF GRANT.—In awarding grants
2 under subsection (a), the Assistant Secretary shall award
3 such grants for periods of 2 years.

4 “(g) MATCHING REQUIREMENT.—The Assistant Sec-
5 retary shall not award a grant to a State under subsection
6 (a) unless that State agrees that, with respect to the costs
7 to be incurred by the State in carrying out the program
8 for which the grant was awarded, the State will make
9 available (directly or through donations from public or pri-
10 vate entities) non-Federal contributions in an amount that
11 is not less than 30 percent of Federal funds provided
12 under the grant.

13 “(h) SUPPLEMENT NOT SUPPLANT.—Funds made
14 available under this section shall be used to supplement,
15 and not supplant, any other Federal, State, or local funds
16 expended by a State to provide the services for programs
17 described in this section.

18 “(i) EVALUATIONS AND REPORT.—

19 “(1) PROGRAM EVALUATIONS.—Not later than
20 6 months after the end of the period for which the
21 grant is awarded under subsection (a), the State
22 shall prepare an evaluation of the effectiveness of
23 programs carried out with funds received under this
24 section. Not later than 6 months after the end of
25 such period, the State shall submit to the Assistant

1 Secretary a report containing the results of the eval-
2 uation, in such form and containing such informa-
3 tion as the Assistant Secretary may require.

4 “(2) REPORT TO CONGRESS.—Not later than
5 36 months after the date of enactment of this sec-
6 tion, the Assistant Secretary shall prepare and sub-
7 mit to the Speaker of the House of Representatives
8 and the President pro tempore of the Senate a re-
9 port that describes the effectiveness of the programs
10 carried out with funds received under this section.

11 “(j) SUNSET PROVISION.—This section shall not
12 apply beginning on the date of enactment of legislation
13 that provides comprehensive health care coverage for pre-
14 scription drugs under the medicare program under title
15 XVIII of the Social Security Act (42 U.S.C. 1395 et seq.)
16 for all medicare beneficiaries.

17 “(k) DEFINITIONS.—In this section:

18 “(1) MEDICATION MANAGEMENT.—The term
19 ‘medication management program’ means a program
20 of services for older individuals, including pharmacy
21 counseling, medicine screening, or patient and health
22 care provider education programs, that—

23 “(A) provides information and counseling
24 on the prescription drug purchases that are

1 currently the most economical, and safe and ef-
2 fective;

3 “(B) provides services to minimize unnec-
4 essary or inappropriate use of prescription
5 drugs; and

6 “(C) provides services to minimize adverse
7 events due to unintended prescription drug-to-
8 drug interactions.

9 “(2) STATE PHARMACY ASSISTANCE PRO-
10 GRAMS.—The term ‘State pharmacy assistance pro-
11 gram’ means a program that provides coverage for
12 prescription drugs and medication management pro-
13 grams for individuals who—

14 “(A) are not less than 65 years of age;

15 “(B) are not eligible for medical assistance
16 under title XIX of the Social Security Act (42
17 U.S.C. 1396 et seq.);

18 “(C) are from families with incomes at or
19 below 200 percent of the poverty line; and

20 “(D) have no coverage for prescription
21 drugs other than coverage provided by a State
22 pharmacy assistance program.

23 “(1) AUTHORIZATION OF APPROPRIATIONS.—

24 “(1) IN GENERAL.—There are authorized to be
25 appropriated to carry out this section, \$25,000,000

1 for fiscal year 2001, and such sums as may be nec-
2 essary for each of fiscal years 2002 through 2005.

3 “(2) RESERVATION.—From the amount appro-
4 priated under paragraph (1), for each fiscal year,
5 the Assistant Secretary shall reserve not less than
6 33.3 percent of such amount to enable States to as-
7 sist State pharmacy assistance programs in exist-
8 ence on the date of enactment of this section.

9 **“SEC. 429L. GRANTS FOR MEDICATION MANAGEMENT PRO-**
10 **GRAMS.**

11 “(a) PROGRAM AUTHORIZED.—The Assistant Sec-
12 retary may award grants to State agencies to assist such
13 agencies or area agencies on aging in providing and ad-
14 ministering medication management programs.

15 “(b) USE OF FUNDS.—A State agency or area agency
16 on aging that receives funds through a grant awarded
17 under subsection (a) shall use such funds to—

18 “(1) develop and implement a medication man-
19 agement program, or to provide assistance to a
20 medication management program in existence on the
21 date of enactment of this section; and

22 “(2) prepare an evaluation on the implementa-
23 tion of or provision of assistance to a program de-
24 scribed in paragraph (1), and, in the case of an area

1 agency on aging, submit the evaluation to the appro-
2 priate State agency.

3 “(c) APPLICATION.—To be eligible to receive a grant
4 under subsection (a), a State agency shall submit to the
5 Assistant Secretary an application at such time, in such
6 manner, and containing such information as the Assistant
7 Secretary may require.

8 “(d) MINIMUM AMOUNT.—In awarding grants under
9 subsection (a), from the amount appropriated under sub-
10 section (j) for each fiscal year, the Assistant Secretary
11 shall award, to each eligible State agency, an amount that
12 is not less than \$50,000.

13 “(e) DURATION OF GRANT.—In awarding grants
14 under subsection (a), the Assistant Secretary shall award
15 such grants for a period of 2 years.

16 “(f) MATCHING REQUIREMENT.—The Assistant Sec-
17 retary shall not award a grant to a State agency under
18 subsection (a) unless that State agency agrees that, with
19 respect to the costs to be incurred in carrying out pro-
20 grams for which the grant was awarded, the State agency
21 will make available (directly or through donations from
22 public or private entities) non-Federal contributions in an
23 amount that is not less than 30 percent of Federal funds
24 provided under the grant.

1 “(g) SUPPLEMENT NOT SUPPLANT.—Funds made
2 available under this section shall be used to supplement,
3 and not supplant, any other Federal, State, or local funds
4 expended by a State agency or area agency on aging to
5 provide the services for programs described in this section.

6 “(h) REPORTS.—

7 “(1) REPORT TO ASSISTANT SECRETARY.—Not
8 later than 24 months after receipt of a grant under
9 subsection (a), a State agency shall prepare and sub-
10 mit to the Assistant Secretary a report on the medi-
11 cation management programs carried out by the
12 State agency or area agencies on aging in the State
13 in such form and containing such information as the
14 Assistant Secretary may require, including an anal-
15 ysis of the effectiveness of the programs. Such re-
16 port shall in part be based on evaluations submitted
17 under subsection (b)(2).

18 “(2) REPORT TO CONGRESS.—Not later than
19 36 months after grants have been awarded under
20 subsection (a), the Assistant Secretary shall prepare
21 and submit to the Speaker of the House of Rep-
22 resentatives and the President pro tempore of the
23 Senate a report that describes the effectiveness of
24 the programs carried out with funds received under
25 this section.

1 “(i) MEDICATION MANAGEMENT PROGRAMS.—In
2 this section, the term ‘medication management program’
3 means a program of services for older individuals, includ-
4 ing pharmacy counseling, medicine screening, or patient
5 and health care provider education programs, that—

6 “(1) provides information and counseling on the
7 prescription drug purchases that are currently the
8 most economical, and safe and effective;

9 “(2) provides services to minimize unnecessary
10 or inappropriate use of prescription drugs; and

11 “(3) provides services to minimize adverse
12 events due to unintended prescription drug-to-drug
13 interactions.

14 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated to carry out this section,
16 \$15,000,000 for fiscal year 2001, and such sums as may
17 be necessary for each of fiscal years 2002 through 2005.”.

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