

116TH CONGRESS
2D SESSION

S. 4259

To codify a statutory definition for long-term care pharmacies.

IN THE SENATE OF THE UNITED STATES

JULY 22, 2020

Mr. SCOTT of South Carolina (for himself and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To codify a statutory definition for long-term care pharmacies.

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 “Long-Term Care Phar-
5 macy Definition Act of 2020”.

6 **SEC. 2. DEFINITION.**

7 Section 1860D–2 of the Social Security Act (42
8 U.S.C. 1395w–102) is amended by adding at the end the
9 following new subsection:

10 “(f) LONG-TERM CARE PHARMACY DEFINED.—

1 “(1) IN GENERAL.—The term ‘long-term care
2 pharmacy’ means a pharmacy licensed under appli-
3 cable State law that is able to provide enhanced
4 pharmacy and clinical services to individuals who re-
5 quire enhanced medication services and reside in a
6 facility (as defined in paragraph (4)).

7 “(2) ENHANCED PHARMACY AND CLINICAL
8 SERVICES.—As used in this subsection, the term ‘en-
9 hanced pharmacy and clinical services’ includes—

10 “(A) medications dispensed pursuant to a
11 prescription or chart order in specialized pack-
12 aging which shall include unit of use packaging,
13 unit dose packaging, single use containers,
14 packaging from remote automated dispensing
15 technology, or other packaging required;

16 “(B) drug utilization review to identify po-
17 tential adverse drug reactions and inappropriate
18 drug usage;

19 “(C) medication reconciliation services at
20 the transition of care and other necessary clin-
21 ical management and medication services;

22 “(D) timely medication delivery 24 hours a
23 day, 7 days a week;

1 “(E) pharmacist on-call availability to pro-
 2 vider dispensing and clinical services 24 hours
 3 a day, 7 days a week;

4 “(F) emergency supplies of medication as
 5 permitted by law and as required, including
 6 emergency kits or remote automated dispensing
 7 technology at a facility; and

8 “(G) such other services as the Secretary
 9 determines appropriate.

10 “(3) INDIVIDUALS REQUIRING ENHANCED
 11 MEDICATION SERVICES.—As used in this subsection,
 12 the term ‘individual who requires enhanced medica-
 13 tion services’ means an individual who has one or
 14 more comorbid and medically complex chronic condi-
 15 tions that are life-threatening or significantly limit
 16 overall health or function, pose a high risk of hos-
 17 pitalization or other adverse health outcomes, and
 18 require enhanced pharmacy and clinical services.

19 “(4) FACILITY.—As used in this subsection, the
 20 term ‘facility’ includes a facility described in section
 21 1819(a), 1919(a), or 1905(d), or any other setting
 22 in which individuals who require enhanced medica-
 23 tion services reside as determined by the Sec-
 24 retary.”.

○