

HOUSE BILL NO. 1095

Presented by: **Chrystal Bartuska, Division Director, Life/Health/Medicare
North Dakota Insurance Department**

Before: **House Industry, Business and Labor Committee
Representative Louser, Chairman**

Date: **January 11, 2023**

Good morning, Chairman Louser and members of the committee. My name is Chrystal Bartuska, and I am the director for the life, health, and Medicare division of the Insurance Department. I am here today in support of House Bill 1095 and will explain the comprehensive medication management services to be offered in health benefit plans. As HB 1095 consists of a single section, I will go through the sections of section of 26.1-36.11, the chapter that would be created by this bill.

To start, section one creates the definitions used in the chapter. Key among these is the definition of “comprehensive medication management,” which can be found on page one, line nine through page two, line 18. This defines the services to be included, such as formulating a medication treatment plan, monitoring the enrollee’s response to therapy, and performing a comprehensive medication review. Again, the full definition can be found on pages one and two of the bill.

Section two details the requirements placed on health carriers while providing comprehensive medication management. This includes:

- Regular notification of enrollees and the enrollee’s primary care provider of the program if the enrollee meets certain health requirements. Those requirements can be found on page three, lines ten through twenty-one.
- Making comprehensive medication management services available via telehealth.
- A requirement that an adequate number of participating pharmacists in the carriers’ network, including population-based metrics found on page four, lines six through seventeen.

- A requirement that a pharmacist directory indicate which pharmacists are participating providers under the comprehensive medication management program.
- An effective date requiring these services be provided beginning in the 2024 plan year.

Section three requires the Commissioner to establish and facilitate an advisory committee to implement the requirements of chapter 26.1-36.11. The advisory committee is to develop best practice recommendations on standards to ensure pharmacists are adequately included and appropriately utilized in comprehensive medication management programs. The advisory committee's initial recommendations would be due no later than December 1, 2023. Membership of the advisory committee consists of:

- The state health officer, or designee;
- An organization representing pharmacists;
- An organization representing physicians;
- An organization representing hospitals;
- A community pharmacy with pharmacists providing medical services;
- The two largest health carriers in the state based on enrollment;
- The NDSU school of pharmacy;
- An employer as a health benefit plan sponsor;
- An enrollee;
- Other representatives appointed by the Insurance Commissioner.

Lastly, section four grants the Insurance Commissioner the authority to go through the Administrative Rules process and then present rules to the Administrative Rules Committee for adoption.

These services are an expansion of what all the carriers do now within their companies, and you will hear other testimony that this is getting to be a popular service in other states. The department does not recognize this as a new mandate of benefits, and we

did confirm that with legislative council. This bill creates criteria around the program and streamlines the contracting and credentialing with the providers and pharmacists.

As Commissioner Godfread mentioned, we believe that many of the concerns that health carriers have risen could be addressed by the advisory committee and administrative rules process. Additionally, we are happy to work with stakeholders to draft any amendments that the committee feels are better addressed in the Century Code than in Administrative Rules to strengthen this HB 1095 as it would be a valuable service to our constituents.

Thank you, I am happy to answer any questions that you may have.