
SENATE BILL 5460

State of Washington

53rd Legislature

1993 Regular Session

By Senators Wojahn, West, Sheldon and Bauer

Read first time 01/29/93. Referred to Committee on Health & Human Services.

1 AN ACT Relating to cognitive services and the application of
2 cognitive services to medicaid prescriptions; adding new sections to
3 chapter 74.09 RCW; creating new sections; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** LEGISLATIVE FINDINGS. The legislature finds
6 that:

7 (1) The fee paid by the medicaid program under the department of
8 social and health services is discounted from the amount determined by
9 the department of social and health services in their survey of the
10 pharmacies actual cost of operations;

11 (2) The pharmacies must cost-shift the discounted amount to the
12 cash-paying patients; and

13 (3) The pharmacists cognitive services have never been considered
14 in the fee formula.

15 NEW SECTION. **Sec. 2.** DEFINITIONS. Unless the context clearly
16 requires otherwise, the definitions in this section apply to sections
17 3 and 4 of this act.

1 (1) "Cognitive services" means those services provided by a
2 pharmacist to or for a patient or health care practitioner that are
3 judgmental or educational in nature rather than technical or
4 informational.

5 (2) "Comprehensive pharmacy services" or "comprehensive pharmacy
6 services benefits" means that component of pharmacy practice that
7 entails the direct interaction of the pharmacist with the patient and
8 the prescriber, if necessary, for the purpose of assuring that the
9 patient's drug-related needs are met through the responsible provision
10 of drug therapy or the responsible removal of drug therapy for the
11 purpose of achieving definite outcomes that improve a patient's quality
12 of life.

13 NEW SECTION. **Sec. 3.** COGNITIVE SERVICES FEE RECOGNITION. The
14 pharmacy section of the medicaid division of the department shall
15 incorporate the code designation now established for the identification
16 of the cognitive services and establish an average time-based realistic
17 dollar value for each code. The department may use an advisory
18 committee to assist in the evaluation and establishment of the
19 cognitive services fees. The pharmacy shall indicate the cognitive
20 services delivered and the department shall add the dollar value of
21 those additional services to the standard prescription price for the
22 prescription delivered, in the reimbursement total to the pharmacy.

23 NEW SECTION. **Sec. 4.** COGNITIVE SERVICES AUDIT. The medicaid
24 division of the department may audit the pharmacy records for
25 verification that the pharmacy has actually performed the services
26 billed. A discrepancy is subject to legal action under the medicaid
27 fraud statutes and rules.

28 NEW SECTION. **Sec. 5.** SEVERABILITY CLAUSE. If any provision of
29 this act or its application to any person or circumstance is held
30 invalid, the remainder of the act or the application of the provision
31 to other persons or circumstances is not affected.

32 NEW SECTION. **Sec. 6.** CAPTIONS NOT PART OF LAW. Captions a used
33 in this act constitute no part of the law.

1 NEW SECTION. **Sec. 7.** CODIFICATION. Sections 2 through 4 of this
2 act are each added to chapter 74.09 RCW.

3 NEW SECTION. **Sec. 8.** EMERGENCY CLAUSE. This act is necessary for
4 the immediate preservation of the public peace, health, or safety, or
5 support of the state government and its existing public institutions,
6 and shall take effect immediately.

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