

Pharmacy PAC End of Year Summary—2009

While many see 2010 as the year that their political ambitions are attained, Pharmacy PAC hopes that the next year is as successful as 2009. The following represents the notable 2009 Pharmacy PAC happenings.

Pharmacy PAC Successes

In 2009, Michigan Pharmacists Association (MPA) and Pharmacy PAC were successful in seeing pharmacy-friendly legislation adopted at the state level. Highlights of Pharmacy PAC's 2009 legislative victories include the following:

- The approved Fiscal Year 2010 budget included a 25-cent Medicaid fee-for-service dispensing fee restoration effective Dec. 1, 2009. This is a restoration of the increase approved in the fall of 2008 and rescinded in the Governor's May 5, 2009, Executive Order.
- MPA successfully defeated pharmacy being included in other health care providers' reduction in reimbursement of 8-12 percent.
- After several months of hard work, on Nov. 19, 2009, MPA was successful in seeing that Gov. Granholm signed into law PA 150, House Bill 4161, legislation which expanded the ability of pharmacists to fill controlled substance prescriptions written by out-of-state physicians.
- MPA encouraged the introduction of Senate Bill 689, which would extend the validity of a Schedule 2 controlled substance from 60 to 90 days from the date the prescription was issued. SB 689 would also allow for more than one Schedule 2 controlled substance prescription to be written on a single prescription form. The bill has passed the Senate and is currently waiting on action by the House.
- MPA lobbied for the introduction of HBs 5475-76 that would establish minimum, uniform standards and criteria for the audit of pharmacy records by or on behalf of certain entities.
- MPA has been working with key legislators on the introduction of legislation that would regulate pharmacy benefit managers.
- MPA encouraged the introduction of HB 5547, which would further define institutional pharmacy practice.
- MPA was successful in amending HB 5164 that would have required pharmacists to fill all prescriptions regardless of religious, moral or ethical beliefs.
- MPA was successful in defeating HB 4777, which would have permitted law enforcement access to the Michigan Automated Prescription System (MAPS) program.
- MPA provided language to amend HB 4774 and 4776, which would have required photo identification by the pharmacist prior to dispensing all controlled substances and would have required physicians to check the MAPS program and indicate on the prescription that the MAPS program was checked before the controlled substance prescription would be valid.
- MPA has been participating with the Michigan Public Health Care Reform initiative.

- MPA was successful in defeating HB 4508, which would have required pharmacists to repackage and redispense mail order prescriptions to institutional patients.
- MPA was successful in defeating HB 4911, which would have required nursing homes to return all unused medications to the newly developed state repository for redistribution.
- MPA was successful in defeating SB 314, legislation which would prohibit a pharmacist from interchanging an immunosuppressive drug without the notification and consent of the prescribing physician and patient.

Pharmacy PAC Challenges

The biggest challenge MPA faced legislatively in 2009 didn't differ from challenges that are being faced by families, associations or other businesses in Michigan: the state's economy. Though the MPA legislative staff was successful in protecting pharmacy providers from a reduction in their fee-for-service reimbursement included in the FY 2010 budget, all other health providers were not as fortunate. Since experts do not anticipate Michigan's economy to reverse itself for many more years, MPA expects to face the economic challenges of 2009 in the foreseeable future.

Although MPA anticipates hearings to take place to consider House Bills 5475-5476 (pharmacy audit rights) early in 2010, these bills will likely encounter challenges that could affect as to whether they find themselves on the Governor's desk before New Year's Eve 2010. The first obstacle regarding these pieces of legislation is the lack of support provided by the health plans. The second obstacle is the recent and sudden passing of the legislation's sponsor, Rep. Mike Simpson. Rep. Simpson passed away in mid-December following his battle with light-chain deposition, a rare blood disorder.

The Transparency in Government Pharmacy Benefit Manager Act, which MPA anticipates to be introduced in the early part of 2010, will face a number of challenges before it can be adopted. The language within the bill would be focused on state supported pharmacy benefit programs such as state and municipal governments, school districts and public colleges and universities. Because the language that was provided to the legislation's sponsor, Rep. Brian Calley, did not produce ample support by his colleagues in the House, the proposal is currently being modified in the hopes of attracting additional supporters. Although MPA supports this legislation and understands its positive impact, not only on the pharmacy profession but on health care as well, the Transparency in Government Pharmacy Benefit Manager Act will likely have a number of opponents.

Pharmacy PAC By the Numbers

112 Number of legislative visits completed by MPA Director of Governmental Affairs Greg Baran and Director of Professional Practice Karen Jonas in 2009

80 Number of regulatory (Michigan Board of Pharmacy, Controlled Substance Advisory committee, Michigan Medicaid, etc.) meetings participated in by Pharmacy PAC staff in 2009

104 Number of legislative events sponsored by Pharmacy PAC in 2009

Notable 2009 Pharmacy PAC Developments

Legislative successes aside, during the past 12 months Pharmacy PAC has accomplished a number of goals that will assist the profession in the coming years. Pharmacy PAC was successful in reaching its goal of having 90 percent (99 out of 110) of state legislative districts having representation in PAC's Pharmacy Response Network (PRN). Members of PRN are politically active individuals who contact their legislators by responding to calls for action related to legislative issues that could impact the pharmacy profession. These individuals have been instrumental in seeing that pharmacy friendly legislation is considered in the legislature and Congress. Pharmacy PAC hopes to reach 100 percent representation in 2010, as well as increasing the total number of pharmacists involved in PRN.

Director of Governmental Affairs Greg Baran and Director of Professional Practice Karen Jonas gave a number of lectures in 2009. These included lectures at local associations, the three colleges of pharmacy and various other venues around the state.

In the spring, MPA member pharmacist and current Chairman of the Michigan Board of Pharmacy Harvey Schmidt announced his candidacy for the Michigan House of Representatives. Schmidt, also the current Mayor of the City of Tecumseh, has been a small business owner and pharmacist for more than 30 years and hopes represent the pharmacy profession in the state legislature.

MPA and Pharmacy PAC were fortunate to have three interns working in the legislative department in 2009. Almon Perry (University of Michigan-Flint), Ben Strickland (University of Michigan-Flint) and Adam Heffner (Saginaw Valley State University) assisted MPA legislative staff in writing articles for *Michigan Pharmacist*, creating pharmacy maps and doing legislative research. Their hard work was an integral part of Pharmacy PAC's 2009 successes.

More than 120 pharmacy professionals from across Michigan converged at the state capitol in Lansing Tuesday, Sept. 15 and demonstrated the valuable role pharmacists play in health care delivery to members of the State House, State Senate and Department of Community Health. Students from Michigan's three schools of pharmacy, Ferris State University, University of Michigan and Wayne State University joined with practicing pharmacists, pharmacy technicians and MPA staff to educate lawmakers on diabetes, Medicare, asthma, osteoporosis, emergency preparedness and other health topics.

Pharmacy PAC held its biennial campaign school on Oct. 29 at Karoub Associates in Lansing. Notable politicians from around Lansing, such as Bob LaBrant from the Michigan Chamber of Commerce and Rebecca Bahar-Cook, presented topics such as the intricacies of

the Michigan election law and campaign fundraising. Other well-known capitol insiders shared their thoughts on how to properly write a campaign plan, what is proper campaign strategy, the importance of legislative leadership, the significant role of campaign communications and what the family of a candidate (and office holder) can expect. Staff from Sen. Roger Kahn's and Rep. Kathy Angerer's office joined the contingent for lunch and updated the group as to the status of the state budget. The event was moderated by Pharmacy PAC Chairman and Grand Rapids pharmacist Hank Fuhs.

2009 Pharmacy PAC Events

- Pharmacy PAC Luncheon, MPA Annual Convention & Exposition, Feb. 27, Detroit Marriott at the Renaissance Center, Detroit
- Legislative Day, April 22, Karoub Associates, Lansing
- Pharmacy PAC Annual Golf Outing, June 2, Jackal Golf Club, Brighton
- Pharmacy Day at the Capitol, Sept. 15, State Capitol Building, Lansing
- Pharmacy PAC Wayne State vs. Ferris State Pre-game Tailgate, Oct. 17, Wayne State University, Detroit
- Biennial Campaign School, Oct. 28, Karoub Associates, Lansing
- Northwest Michigan Pharmacy Issues and Answers Workshop, Nov. 11, Traverse City