



TEXAS FEDERATION OF DRUG STORES

"The Voice of Chain Pharmacy in the State of Texas"

Texas Federation of Drug Stores
Board of Directors Meeting Minutes

Wednesday, May 6, 2019

3:00 PM – 6:00 PM

Texas Legislative Association - 208 West 14th Street, Austin, TX 78701
Conference Room

The TFDS Board of Directors meeting was called to order at 3:05pm, Ken Breda began the meeting by referencing the Antitrust statement and asking the officers to review the minutes from the last meeting and asked if there were any corrections. Michael Smith asked for a correction to be made on the topic of E-prescribing and on the preference for Schedule VII over Schedule V, but not as a general rule, on the bill carried by Zerwas and Kolkhorst. Pending correction, Jay Bueche made a motion to accept the minutes as presented, and Michael Smith seconded the motion.

Jeff Loesch summarized the TFDS financials. Currently standing at \$104,834.47 in cash as of the end of April. Total assets \$246,972.52. Jeff also explained that although the current income for the year was not expected to cover full expenses, due to membership collected in a timely fashion, and investments doing well, the association would not need to get an influx from reserves at this time. No further questions from the group, resulted in a unanimous vote to approve the financials as presented.

Brad Shields began his Legislative/Policy Discussion by referring to the 2019 Pharmacy Legislative Issues Status Update handout. He went over the list of Pharmacy Legislation to which TFDS was in support and gave an update on each of the bills and its current status. He also went over each bill the association was thoroughly monitoring but not likely to have any traction during the legislative session.

The group then moved on to discuss other business and discussed their preference for not hosting a summer meeting, since they would be busy with session coming to a close. However, they expressed a desire to keep the upcoming meeting in the Austin or Houston area. The group asked Diana to send out a survey regarding the dates for October.

Having no further business to discuss, the meeting was adjourned at 5:22pm. Attendees were invited to stay for a hosted Taco Bar catered by Cabo-Bob's catering, courtesy of TFDS.



TEXAS
LEGISLATIVE
ASSOCIATES

2019 Pharmacy's Legislative Issues – STATUS UPDATE

Bill Numbers	Proposed Issues	Description	Status	Comments
Pharmacy Legislation - SUPPORT				
SB 2261 Kolkhorst HB 2817 Lucio III	Regulation of PBMs	Compromise prohibits DIR fees, paying more to PBM owned pharmacies, and retaliation.	HB 2817 in Sen. B&C	Good progress
HB 3388 Sheffield SB 2262 Kolkhorst	Single Statewide Medicaid Claims Agent	Compromise will pay pharmacies NADAC plus a professional Dispensing Fee..	HB 3388 in Senate	Good Progress
HB 1827 Howard HB 4285 Zedler	Enhanced Pharmacy Services	Providing Tamiflu to patients over 18 through point of service testing under a protocol.	HB 4285 pending in PH	Not likely to pass
HB 1668 Allison SB 683 Buckingham	Pharmacy Clean-up Bill	Numerous necessary cleanup items in the Pharmacy Practice Act and the Controlled Substances Act. Non-controversial items only. Just in case – Clean-up language was added onto HB 2847.	HB 1668 in Calendars SB 683 in Calendars HB 2847 in the Sen.	Good Progress HB 2847 hearing in B&C Tuesday
HB 577 Thompson SB 420 Buckingham	PMP – Mandatory Look-up REFILL FIX	Amend PMP mandatory look-up requirement to remove the look-up for refills.	HB 577 Pending in PH SB 420 in House PH	Rep. Price is opposed – No vote in Public Health
SB 2316 Hinojosa	PMP Look-up Delay	Delays the mandatory look-up until March 2020	In House PH	Amendment to allow public to see their report and who else has seen it...
HB 3441 Luco III SB 2284 Schwertner	Payment Parity	TPA's bill requiring Insurance to pay a pharmacist for authorized services if payment is made to other providers.	HB 3441 pending in Sen. B&C	Good Progress
HB 2174 Zerwas HB 2766 Zerwas SB 1233 Kolkhorst	Mandatory E-Prescribing	Mandatory E-prescribing for all controlled substances with waivers available.	HB 2174 in Sen. HHS HB 2766 passed House SB 1233 Pending in HHS	Good Progress
HB 1757 Lucio III SB 2049 Schwertner	Adds Pharmacists as Healthcare Providers	Amend Insurance Code to include Pharmacists as healthcare providers.	HB 1757 pending in Sen. B&C	Good Progress
HB 3458 Dutton SB 1813 Rodriguez	Pharmacist administered Immunizations	Allow a pharmacist to administer immunizations to school age (age 7) children to include T-dap, Tetanus, diphtheria, pertussis, and HPV..	HB 3458 pending in SubComm	No progress this Session

<i>SB 1056 Zaffirini HB 4297 Raney</i>	<i>Collaborative Practice Agreements</i>	<i>Clarify law relating to collaborative practice agreements in retail settings.</i>	SB 1056 in House PH HB 4297 in Calendars	Good Progress
<i>HB 2425 Kacal</i>	<i>Delegation to a pharmacist</i>	<i>Adds an FQHC to the list of facilities where a physician can delegate to sign an original prescription to a pharmacist.</i>	HB 2425 pending in Sen. HHS	Good progress
<i>HB 1455 Hunter SB 692 Buckingham</i>	<i>PBM Audits</i>	<i>Establishes limitations and standards for PBM pharmacy claims audits.</i>	HB 1455 in Sen. B&C	Good Progress
<i>HB 2536 Oliverson</i>	<i>PBM Data Reporting</i>	<i>Collection of data from PBMs on rebates and average wholesale acquisition costs.</i>	HB 2536 in Calendars	Not Likely to Pass
<i>HB 3548 Rose</i>	<i>Office of Medicaid Inspector General</i>	<i>Requires the OIG to establish a Medicaid complaint system for both recipients and providers.</i>	Reported to L&C	Not Likely to Pass
<i>SB 1509 Schwertner</i>	<i>TDI Authority over networks</i>	<i>Gives TDI the authority to oversee the adequacy and effectiveness of managed care networks.</i>	Waiting on a hearing.	Not Likely to Pass
<i>HB 3538 Rose</i>	<i>Opioid Advisory Council</i>	<i>Creates opioid abuse council with pharmacist participation.</i>	Reported to L&C	
<i>HB 3685 Oliverson SB 1096 Perry</i>	<i>Medicaid Drug Prior Authorization</i>	<i>Prohibits PBM from requiring prior authorization for any drug on the Medicaid formulary.</i>	HB 3685 in Calendars SB 1096 pending in HHS	Not Likely to Pass
<i>Pharmacy Legislation - MONITOR</i>				
<i>HB 562 Thierry</i>	<i>Warning Labels on all opioid prescriptions</i>	<i>Requires a warning label but the compromise leaves specifics up to TSBP.</i>	In Calendars	Abandoned
<i>HB 563 Thierry</i>	<i>Opioid "Red Cap" Requirement</i>	<i>Require all Opioid prescription bottles to have a red cap.</i>	Waiting on a hearing.	Bill abandoned as part of the compromise.
<i>HB 1264 Thompson SB 759 Buckingham</i>	<i>Physician Notification for BioSimilar</i>	<i>Extends the requirement to notify a physician when interchange of a biosimilar is made for a Biologic.</i>	HB 1264 Senate vote SB 759 Pending in HHS	Passed both Houses – Sent to the Governor
<i>HB 1622 Oliverson</i>	<i>Physician Dispensing</i>	<i>Allows a physician to sell all non-schedule II drugs to patients but complying with certain pharmacy board rules.</i>	Pending in PH	Not likely to Pass
<i>HB 1706 Oliverson SB 1666 Buckingham</i>	<i>TelePharmacy Expansion</i>	<i>Bill by Cardinal Health to add sites in hospitals and clinics as remote dispensing sites in All Medically underserved areas.</i>	HB 1706 in Calendars	
<i>HB 4266 Zedler SB 2377 Hughes</i>	<i>TelePharmacy Expansion</i>	<i>Bill would reduce the 25-mile limit to 10 miles.</i>	Pending in PH	
<i>HB 2482 Price HB 3496 Sheffield SB 1631 Creighton</i>	<i>Financial Disclosures for pharmacy license and surety bonds prior to sale</i>	<i>Requires financial disclosures of ownership and investments in pharmacies but exempts chain and Class C pharmacies. Requires a \$25K surety Bond for investigations.</i>	HB 3496 House Vote 5.06.2019	
<i>HB 2086 Dean SB 2367 Hughes</i>	<i>Mandatory Drug Take-Back Program</i>	<i>Requires all pharmacies and health care facilities to maintain a drug take-back program.</i>	Waiting on a hearing.	Not Likely to Pass
<i>HB 2088 Dean</i>	<i>Take-Back Notification</i>	<i>Requires all pharmacies to notify patients of nearest take back location with every prescription.</i>	HB 2088 in the Senate	