

117TH CONGRESS
1ST SESSION

S. 1574

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

IN THE SENATE OF THE UNITED STATES

MAY 12, 2021

Mr. SCOTT of South Carolina (for himself, Mr. WARNER, Mr. LANKFORD, Ms. SMITH, Ms. COLLINS, Ms. STABENOW, Mr. CASSIDY, and Ms. ROSEN) 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 2021”.

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.”.

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