

# Louisiana Independent Pharmacies Association

## What's New and What to Watch

### LIPA Newsletter:

Bringing you the latest news and information concerning independent pharmacies and the profession at-large....



Members,

### Week Five Legislative Update

Earlier this week, the Senate unanimously passed [HB199](#) with amendments. The legislation is sponsored by Speaker Schexnayder and a host of co-authors. Currently, local jurisdictions collect a portion of some taxes and the state collects others. The legislation would create a State and Local Streamlined Sales and Use Tax Commission that would collect sale taxes and then distribute appropriate amounts to state and local entities ([The Advocate](#)).

Marijuana continues to be a hot topic around the Capitol. The House comfortably passed [HB652](#) by Rep. Glover, which would decriminalize possession of certain amounts of the drug. Rep. Nelson proposed [HB699](#) which would legalize recreational marijuana. Rep. Nelson's bill has been stalled in the House, but it may move next week ([The Advocate](#)). The House also passed HB483 by Rep. Wright. It's a highly contested bill that would restrict the use of noncompete agreements for physicians ([The Advocate](#)).

An important bill for LIPA and its Louisiana independent pharmacy members, [HB244](#) by Rep. Turner, was not heard this week. It was referred to the [Senate Insurance](#) committee but has yet to be scheduled. We had several good discussions with Rep. Turner and other interested parties about HB244 and we look forward to additional discussions as we get closer to a committee hearing. LIPA will provide an update once HB244 is scheduled in Senate Insurance.

Another bill LIPA supports, [SB218](#) by Sen. Mills, has been scheduled. It will be heard in [House Insurance](#) on Wednesday, May 19<sup>th</sup> at 9:30 AM ([See Agenda](#)). We encourage you to reach out to members of House Insurance and express your support for SB218.

SB218 provides relative to the payment of pharmacy claims and has many important provisions for Louisiana independent pharmacies. A portion of the bill clarifies existing laws around pharmacy record audits, and specifically, procedures auditors must follow for standard audits and what qualifies as an audit to use separate procedures in the instances of fraud, willful misrepresentation, or abuse. We frequently see audit practices that attempt to circumvent Louisiana law.

SB218 requires the use of a single maximum allowable cost by a health insurance issuer. This will provide additional clarity and confidence into your ability to recoup your cost of dispensing. Paired with the additional transparency discussed below, the audit procedures and single list will benefit local, independent pharmacies in Louisiana.

However, the most important provisions in SB218 provide additional transparency into the payment of pharmacy claims. SB218 adds two factors to the remittance advice required for each claim that show the amount paid to the health insurance issuer and to the pharmacy. Especially important, it requires the full remittance advice to be shared with your pharmacy for each claim, so you can determine whether you were properly paid for each prescription you dispensed.

SB218 also builds on existing Louisiana law and clarifies a prohibition on effective rate pricing for local, independent pharmacies in Louisiana. Although effective for some time, in the wake of the *Rutledge* decision, SB218 prohibits *any* direct or indirect reduction of payment to your pharmacy through an effective rate of reimbursement or any other reduction or aggregate reduction of payment. The transparency required by SB218 will allow you to see every step of the payment model to ensure that you are being reimbursed properly.

SB218 also prohibits spread pricing after an appropriate delay. Several stakeholders have existing contracts that the spread pricing prohibition does not interrupt, but beginning on January 1, 2022, no new contracts could include spread pricing and existing contracts could not be amended to extend the use of spread pricing. Again, the transparency at every level of the payment of pharmacy claims required by SB218 is necessary to ensure that effective rates and spread pricing do not negatively impact your reimbursements.

SB218 has several other provisions that benefit your local pharmacy. LIPA encourages you to reach out to our office with questions and contact members of House Insurance ahead of the meeting on Wednesday, May 19<sup>th</sup>. Please plan to attend the committee hearing at the Capitol on Wednesday to express your support for Sen. Mills and SB218. The transparency provisions it includes are important for the future of independent pharmacies in Louisiana. LIPA will provide additional information on SB218 next week.

### 12-15 Year Olds Can Get COVID-19 Vaccine NOW

LDH issued a [press release](#) and sent guidance out to COVID-19 vaccine providers on May 13<sup>th</sup> announcing that vaccines can now be administered to 12–15-year-olds. Here’s what you need to know:

- Only Pfizer vaccine is approved for 12–17-year-olds.
- Written or oral consent is required for individuals under age 18 to get the vaccine
- LDH has issued a sample [COVID 19 Vaccine Consent Form for Individual Under Age 19](#) that providers may wish to use *but that can be modified to request additional data such as Race and Ethnicity and insurance information*. The form is also available in [Vietnamese](#) and [Spanish](#).
- The parent or guardian does not have to be present at the time the vaccine is administered as long as consent has been given.

For independent pharmacy providers, here again are **key points** that LIPA faxed out to members on Thursday:

- Pharmacies can order Pfizer vaccine through LINKS in **quantities as small as 6 doses (1 vial)**.
- Pfizer vaccine will now be delivered frozen by Morris & Dickson and can be **stored in a regular freezer** for 13 days and then a refrigerator for an additional 5 days (18 days total).
- LDH guidance has been updated to indicate that **vaccine loss is expected** with all doses in a vial sometimes not used within the time limit (6 hours for Pfizer) from first puncture. (See [written guidance dated 4.21.21](#)).
- If you currently have (or get) Pfizer vaccine in inventory, you may want to let pediatricians in your community know.
- You may be able to identify patients between the ages of 12-17 through your software and generate text messages or outbound phone calls to parents/guardians letting now that you have the vaccine available.

### Free “Live” (via Zoom) Opioid CPE Opportunity Weeks of 5/24 and 6/04

Please share with all of your pharmacists and pharmacy technicians that they can earn 1.0 hour of “live” CPE by registering for and participating in an opioid-related Zoom training being offered by LDH’s Office of Public Health/Community Partnerships & Health Equity. The same training will be presented multiple times during the week of 5/24 depending on your region, with a final offering on 6/4 that is open to everyone. This provides lots of options and flexibility.

Lead instructor for this CPE activity is Natasha Seals, PharmD who is employed by OPH/Bureau of Community Preparedness as the Opioid Pharmacist/Educator for their **OD2A (Opioid Data to Action)** CDC-funded program. Ms. Seals has a toolkit and number of other resources that she will be sharing with participants.

Here is the [Registration Link](#) (You can see a copy of the Announcement that includes the learning objectives and more information under “Publications” at this link.)

## What Can Independent Pharmacies Do to Address Vaccine Hesitancy?

One of our members reported this week that while he was late getting enrolled as COVID-19 vaccine provider he is now **having success at getting reluctant patients to get vaccinated**. With Louisiana's low vaccine take up rate, the important of this cannot be understated. Techniques that pharmacies can use to increase patient confidence in the vaccine and inform decision making will vary. Some patients just need the recommendation coming from a trusted health provider (and that includes their pharmacist!) and questions answered.

LDH has a special page on their provider website with a large number of resources designed to help increase vaccine confidence (or reduce vaccine hesitancy). The page—[Building Confidence in COVID-19 Vaccines](#)—is a “one stop shop” for useful information, including flyers that can be duplicated and given to customers and patients and information to prepare you as a provider to answer tough questions about the vaccine!

## Use of Incentives to Get People Immunized

From [free beer](#) in New Jersey, to a [\\$5M lottery](#) in Ohio (five people will receive \$1,000,000 and five people will receive scholarship to state university) to a [free LSU baseball ticket](#) in Baton Rouge, to chain drug store gift cards, we are seeing all kind of incentives being offered as a way to increase COVID-19 vaccine take up. “The jury is still out” as to the effectiveness of these kinds of strategies but it is definitely something to think about. Could people who get the vaccine at your pharmacy be entered into a weekly or monthly drawing? If so, what would the winner receive? Perhaps a really nice gift basket (that is on display) and could be shared on social media as well? We are being asked to “think outside the box.” What ideas can you come up with to increase vaccine take-up in your community? LIPA is ready to help.

## Onsite Vaccines at Nursing Homes

As part of LIPA's contract with LDH to facilitate onsite vaccines at nursing facilities and other congregate settings, LIPA has begun entering into service agreements with independent pharmacy vaccine providers for COVID-19 vaccines when 1) the number of vaccines at a site is four or fewer or 2) excessive distance is an issue in getting someone to provide onsite vaccines.

How It Works:

- LIPA completes a COVID-19 Vaccine Service Agreement with the pharmacy or pharmacist, including conditions for receiving a supplemental payment.
- LIPA enters into a separate COVID-19 Vaccine Service Agreement with the requesting nursing facility or other congregate setting.
- The LIPA pharmacy partner must complete and initial an LDH “checklist” for onsite vaccines and LDH Daily Vaccine Report Form for **each location/date** and submits with Request for Reimbursement to LIPA.
- LIPA remits payment within 15 days of receipt of request and all needed documentation.

In discussion regarding this initiative with the State Health Officer Dr. Joseph Kanter, he stressed that supplemental payments are not “the norm” for onsite vaccines in nursing facilities and should only be made when the low number of vaccines or excessive distance are a deterrent. We know that the number of onsite vaccines can be expected to fluctuate from month of month and that in reporting on April 2021 COVID-19 vaccine activity, nursing homes have mentioned the small number of vaccines needed as an impediment to getting someone to come onsite.

If you are interested in a COVID-19 Vaccine Service Agreement with LIPA, please e-mail us at [vaccines@lipa.org](mailto:vaccines@lipa.org).

**Express Scripts Requirements for Increase in Reimbursement for COVID-19 Vaccine Administration**

LIPA staff has recently been informed of an Express Communication by Express Scripts regarding COVID-19 Vaccine Reimbursement to pharmacies. [Here](#) are the links to the cover page and letter of agreement for your reference to print and execute if you are not in receipt of this information.

This communication states that in order to be eligible for the \$40.00 in reimbursement for the administration of the vaccine, providers must execute the COVID-19 Letter of Agreement (the “LOA”) and must include your pharmacy name and address along with your NCPDP # and Contract Number on the letter. Upon your completion and signature on the letter, submit the letter of agreement to [recontractingmailbox@express-scripts.com](mailto:recontractingmailbox@express-scripts.com) or fax to 800-357-9578. Additionally, Express Scripts states that the reimbursement shall be effective upon the date Express Scripts receives and possesses the executed LOA.

If you are administering or plan to administer the Covid-19 vaccine to your patients with Express Scripts coverage, please submit the LOA as soon as possible in order to receive the increase in reimbursement.

**What Has Been the Impact of the Medicaid Single PDL on Your Pharmacy?**

It has now been two years since implementation of a Single Preferred Drug List for Louisiana Medicaid’s MCOs. **We are looking for feedback and thoughts from members on how this change has affected you and your pharmacy.** From years of experience in seeing policy changes of this magnitude implemented, we know that the actual experience can greatly differ from planning projections and promises made. “Unintended consequences” and wide variation in actual savings (or cost) from what consultants predicted are frequently seen. **From your standpoint, is the Medicaid single PDL “a good thing”? Are changes needed, and if so, what?** We will show any feedback we get from members with the current LDH and Medicaid leadership.

**Medicare Railroad Beneficiaries and COVID-19 Vaccine Administration**

Palmetto GBA is the Railroad Retirement Board Specialty Medicare Administrative Contractor (RRB SMAC). Palmetto GBA processes Part B fee-for-service claims for Railroad Medicare beneficiaries nationwide.

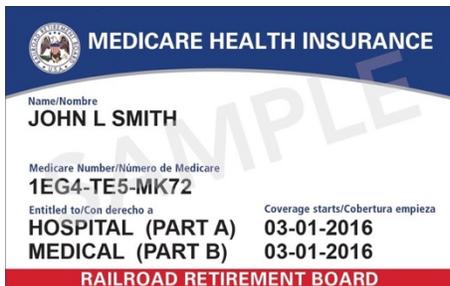
If you are a Part B Medicare provider, you are eligible to provide care to Railroad Medicare patients, but you will need to request and receive a Railroad Medicare Provider Transaction Access Number (PTAN) before your claims can be processed. You need this PTAN because Palmetto GBA is a different jurisdiction from your local MAC.

If you are providing COVID-19 vaccine administration to Medicare Railroad retirees, a different PTAN is required to submit claims for Railroad Beneficiaries. Below is the link to request the PTAN number. Once your PTAN has been received, you should advise your software vendor in order to initiate the EDI process.

[Railroad Medicare PTAN Lookup and Request Tool](#)

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Additionally, individuals who are eligible for Medicare through Railroad Retirement benefits may have a Medicare card which include Railroad Retirement Board on the card.



# **In the NEWS:**

## **New Orleans giving away a pound of free crawfish with each COVID vaccine at this event**

**[Nola.com 05/10/2021](#)**

Louisiana food can spark envy in people living elsewhere. So can the state's easy access to [COVID-19 vaccine](#). The latest push to encourage more people to join the fight against the pandemic combines the two with free crawfish on offer to the public at a Thursday vaccination event in New Orleans. People who show up for the free vaccine at 4035 Washington Ave. on May 13, from 4-7 p.m., will get a free pound of boiled crawfish.

The effort is a partnership between [local business incubator](#) Propeller, which is hosting the event at its headquarters with City Councilman Jay Banks, the city health department and Cajun Seafood, a [longtime local seafood market](#) with a location just down the street from Propeller.

Health workers will distribute both the Moderna and Johnson & Johnson vaccines. The pros from Cajun Seafood will handle the boil. Adding a little more to the pot, the first 30 people in line for the vaccine will get free gift cards. The vaccine is free and no identification or health insurance is required to receive it.

Using crawfish to get attention is part of the shifting tactics to get more people out to receive the free vaccine. A string of bars, and even [a Bourbon Street strip club](#), have hosted vaccination drives while dishing out free shots of liquor to people getting the jab. The inducements underline an increasingly urgent plea across the community to [increase vaccination rates](#).

## **States Probe Business Practices of Pharmacy Benefit Managers**

**[The Wall Street Journal 05/11/2021](#)**

Several states are investigating [pharmacy benefit managers](#), with some saying they are focused on whether the companies fully disclosed details about their business and potentially received overpayments under state contracts, according to state officials and documents.

States including Ohio, Oklahoma, Georgia, New Mexico, Kansas, Arkansas and Mississippi, as well as the District of Columbia, are scrutinizing PBMs, according to the offices of state attorneys general and auditors, as well as public documents including state contracts and securities filings.

Details about the investigations' focus are typically not public. Officials with some states said they were looking at companies in their Medicaid programs and state-employee plans. Among the companies under scrutiny are units of [Centene Corp.](#), [UnitedHealth Group Inc.](#) and [CVS Health Corp.](#)

"I'm aware of many states that are looking at this," said Ohio Attorney General Dave Yost, a Republican, whose office recently sued Centene, alleging it had misled the state's Medicaid program about its pharmacy-related costs, resulting in overpayments by the state. States are at various stages of examining PBMs, he said, but he expects a couple of new suits to be filed this summer, and "before this is all done, I will be surprised if we don't have a dozen or more states" bringing complaints against PBMs.

## **Nurse on crusade to vaccinate community after husband's death surprised on 'The View'**

[ABC News 05/12/2021](#)

Nurse Carla Brown went [beyond her call of duty](#) during the [coronavirus pandemic](#) to help vaccinate her community. Now, Brown is sharing her story with "The View."

The Baton Rouge, Louisiana, nurse wants to help the elderly, homebound and those who don't have access to a site close by get a COVID vaccine. As of Wednesday, Carla and her COVID Crusaders have administered 750 vaccinations since starting their mission in March.

Brown's mission of goodwill comes from a very personal place. While working as a hospital psychiatric nurse in May 2020, Brown unknowingly contracted COVID-19. She ended up passing the virus to several family members, including her husband David, a two-time cancer survivor.

"I couldn't be with him. He was in that hospital by himself and I couldn't be there to hold his hand," Brown said.

Brown's husband had to go on a ventilator after contracting the virus and died in July 2020. Losing the love of her life made her promise to change the lives of people in her community for the better.

"He took my heart with him. My heart beat, but it's not the same," Brown said of her husband's passing. "I could not save my husband, but I want to save as many as I can now. Whatever it's going to take."

## **Nearly 3 in 5 Unvaccinated Adults Say a Big Financial Incentive Would Sway Them to Get a COVID-19 Shot**

[Morning Consult 05/13/2021](#)

The state of West Virginia is offering young people a [\\$100 savings bond](#) to get the COVID-19 vaccine. In [New Jersey](#) and [Connecticut](#), vaccinated adults can get a free beer. The governor of Ohio [announced](#) a million-dollar lottery drawing for vaccinated state voters. And Maryland will pay state employees who get vaccinated — and [take the money back](#) if they don't get booster shots that could be recommended in the future.

But as states and communities attempt to entice unvaccinated Americans to get a COVID-19 shot, new Morning Consult [polling](#) indicates some vaccination incentives and requirements could be more effective than others.

When it comes to incentives, for example, 57 percent of unvaccinated adults said a big cash payment, such as a \$1,000 savings bond, would sway them, while 43 percent said they'd probably or definitely get vaccinated if they were offered a smaller reward, such as a \$50 bond. Adults under age 45 were more likely to say a big financial incentive would make them more willing to get a vaccine.