



SPONSOR: Sen. Poore

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

SENATE AMENDMENT NO. 1
TO
SENATE BILL NO. 272

1 AMEND Senate Bill No. 272 on line 7 by deleting the word “issued” where it first appears and by
2 substituting in lieu thereof the word “delivered”.

3 FURTHER AMEND Senate Bill No. 272 by deleting lines 13 through 25 and substituting in lieu thereof
4 the following:

5 “(a) For purposes of this section, “carrier” means any entity that provides health insurance in this State.
6 “Carrier” includes any insurance company, managed care organization, health service corporation, health
7 maintenance organization, and any other entity providing a plan of health insurance or health benefits subject to
8 state insurance regulation. “Carrier” also includes any third-party administrator or other entity that adjusts,
9 administers, or settles claims in connection with health benefit plans.”

10 (b) For any individual insurance policy, contract, or certificate that is delivered, issued for delivery,
11 renewed, extended, or modified in this State after [the effective date of this Act], a carrier must provide
12 reimbursement to a pharmacist for a service or procedure at a rate not less than that provided to other nonphysician
13 practitioners if the service or procedure is all of the following:

14 (1) Within the scope of practice of a pharmacist.

15 (2) Would otherwise be covered under the policy, plan, or contract if the service or procedure is
16 provided by any health care service provider or practitioner, including a physician, advance practice
17 registered nurse, or physician assistant.

18 (c) Whenever a service is performed by a licensed pharmacist and reimbursed by a carrier, the licensed
19 pharmacist must be granted such rights of participation, plan admission, and registration as may be granted by the
20 carrier to any health care service provider or practitioner, including a physician, advance practice registered nurse,
21 or physician assistant performing such a service.”

22 FURTHER AMEND Senate Bill No. 272 by deleting lines 29 through 41 and substituting in lieu thereof
23 the following:

24 “(a) For purposes of this section, “carrier” means any entity that provides health insurance in this State.
25 “Carrier” includes any insurance company, managed care organization, health service corporation, health
26 maintenance organization, and any other entity providing a plan of health insurance or health benefits subject to
27 state insurance regulation. “Carrier” also includes any third-party administrator or other entity that adjusts,
28 administers, or settles claims in connection with health benefit plans.

29 (b) For all group and blanket insurance policies, contracts, or certificates that are delivered, issued for
30 delivery, renewed, extended, or modified in this State after [the effective date of this Act], a carrier must provide
31 reimbursement to a pharmacist for a service or procedure at a rate not less than that provided to other nonphysician
32 practitioners if the service or procedure is all of the following:

33 (1) Within the scope of practice of a pharmacist.

34 (2) Would otherwise be covered under the policy, plan, or contract if the service or procedure is
35 provided by any health care service provider or practitioner, including a physician, advance practice
36 registered nurse, or physician assistant.

37 (c) Whenever a service is performed by a licensed pharmacist and reimbursed by a carrier, the licensed
38 pharmacist must be granted such rights of participation, plan admission, and registration as may be granted by the
39 carrier to any health care service provider or practitioner, including a physician, advance practice registered nurse,
40 or physician assistant performing such a service.”

41 FURTHER AMEND Senate Bill No. 272 on lines 52 and 53 by deleting “a physician or osteopath” and
42 substituting in lieu thereof:

43 “any health care service provider or practitioner, including a physician, advance practice registered nurse,
44 or physician assistant”.

45 FURTHER AMEND Senate Bill No. 272 by deleting lines 54 and 55 in their entirety.

46 FURTHER AMEND Senate Bill No. 272 on line 80 by deleting “Section 4” and substituting in lieu
47 thereof 32 “Section 5”.

SYNOPSIS

This amendment (1) adds a definition of the term “carrier”; (2) deletes the language on lines 24-25, 40-41, and 54-55 which provided that when payment is made for health care services performed by a licensed pharmacist, no payment or reimbursement may be paid to a physician or osteopath for the services performed by the licensed pharmacist; and (3) expands upon the circumstances where a service is performed by a licensed pharmacist and reimbursed by a carrier, the licensed pharmacist must be granted such rights of participation, plan admission, and registration as may be granted by the carrier to include a physician, advance practice registered nurse, or physician assistant performing such a service.

Author: Senator Poore