

ARKANSAS SENATE
83rd General Assembly - Regular Session, 2001
Amendment Form

Subtitle of Senate Bill No. 956

"AN ACT TO ESTABLISH AN ARKANSAS RX PROGRAM TO REDUCE PRESCRIPTION
DRUG PRICES FOR RESIDENTS OF THIS STATE."

Amendment No. 2 to Senate Bill No. 956.

Amend Senate Bill No. 956 as originally introduced:

Delete everything after the Enacting Clause and substitute the following:

"SECTION 1. Legislative Intent.

The General Assembly finds that:

(1) Arkansans and other Americans pay the highest prices in the world for prescription drugs;

(2) Pharmaceutical companies are charging Arkansans excessive prices for prescription drugs, denying our citizens access to medically necessary health care, thereby threatening their health and well-being;

(3) Lack of affordable access to medically necessary prescription drugs results in the denial of health care, the likelihood of serious illness and death, and the inability to lead a life of good health for many Arkansans;

(4) Many Arkansans are admitted to or treated at hospitals each year, because they cannot afford the drugs prescribed for them;

(5) Doctors report that their patients endanger themselves by taking only a portion of their recommended dosage of prescription drugs, because they are unable to afford the full, recommended dosage;

(6) All Arkansans are threatened by the possibility that when they most need medically necessary prescription drugs they will be unable to afford their doctor's recommended treatment;

(7) Prescription drug costs represent the fastest growing item in health care, and are a driving force in rapidly increasing hospital costs and insurance rates;

(8) Excessive pricing for prescription drugs threatens Arkansas' ability to assist with the health care costs of our citizens, undermines the financial capacity of our communities to meet the educational needs of our children, hurts the ability of our business community to provide health insurance coverage to Arkansas' workforce, and has a negative effect on Arkansas' economy;

(9) All Arkansas citizens should have access to medically necessary prescription drugs at the lowest possible prices; and

(10) This law will be a positive measure to make prescription drugs more affordable for Arkansans, thereby increasing the overall health of our families, benefiting employers and employees and the fiscal strength of our society, promoting healthy communities and improving the public health and welfare.

SECTION 2. Prescription Drug Advisory Commission.

(a) There is established a Prescription Drug Advisory Commission.

(b) The commission shall be composed of sixteen (16) members, as follows:

- (1) The Director of the Department of Human Services;
- (2) The Director of the Department of Health;
- (3) The Chair of the House Public Health, Welfare, and Labor

Committee;

- (4) The Chair of the Senate Public Health, Welfare, and Labor

Committee;

- (5) Twelve (12) members to be appointed by the Governor, as

follows:

(A) One (1) person representing the University of Arkansas for Medical Sciences, from a list of three (3) supplied by the Chancellor of the University of Arkansas for Medical Sciences;

(B) One (1) person who shall be a representative of senior citizens, from a list of three (3) supplied by the American Association of Retired Persons;

(C) One (1) person who shall be a representative of a child advocacy organization, from a list of three (3) supplied by the Arkansas Advocates for Children and Family;

(D) One (1) person who shall be a representative of a low-income advocacy group, from a list of three (3) supplied by the Association of Community Organizations for Reform Now;

(E) One (1) person who shall be a labor advocate, from a list of three (3) supplied by the Arkansas AFL-CIO;

(F) One (1) person who shall be a representative of physicians, from a list of three (3) supplied by the Arkansas Medical Society;

(G) One (1) person who shall be a representative of pharmacists, from a list of three (3) supplied by the Arkansas Pharmacists Association;

(H) One (1) person who shall be a representative of the business community, from a list of three (3) supplied by the Arkansas State Chamber of Commerce;

(I) One (1) person who shall be a representative of health care professionals, from a list of three (3) supplied by the Arkansas Health Care Association;

(J) One (1) person who shall be a representative of nurses, from a list of three (3) supplied by the Arkansas Nurses Association;

(K) One (1) person who shall be a representative of hospitals, from a list of three (3) supplied by the Arkansas Hospital Association; and

(L) One (1) person who shall be a representative of the pharmaceutical manufacturers, from a list of three (3) supplied by the Pharmaceutical Research and Manufacturers of America.

(c) Nominations shall be submitted to the Governor not later than thirty (30) days after the effective date of this act.

(d) The Director of the Department of Human Services shall call the first meeting within sixty (60) days after the effective date of this act.

(e) At the first meeting, the commission shall elect a chairperson who shall schedule subsequent meetings.

(f)(1) A majority of the membership shall constitute a quorum.

(2) A majority vote of those members present shall be required for any action of the board.

SECTION 3. DUTIES.

(a) The Prescription Drug Advisory Commission shall study the establishment of a state prescription drug bulk-purchasing plan and the feasibility of the state subsidizing the cost of prescription drugs.

(b) The focus of the study shall be on coverage for:

(1) Persons with incomes up to three hundred percent (300%) of the federal poverty level who do not have a benefit program that includes drug coverage;

(2) Medicaid-covered persons with incomes above two hundred percent (200%) of the federal poverty level who do not have coverage for prescription drugs;

(3) Persons who earn less than two hundred percent (200%) of the federal poverty level; and

(4) Persons over sixty-five (65) years of age.

(c) The commission shall make progress reports to the Governor and the Legislative Council every sixty (60) days.

(d)(1) The Arkansas Center for Health Improvement shall supply staff for the commission.

(2) The center shall prepare the commission's reports and a report on any draft legislation needed to implement the commission's recommendations."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator B. Walker
MF/RTK - 032720011417
RTK346

Secretary