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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1455 Session of  
2008

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INTRODUCED BY McILHINNEY, PILEGGI, BAKER, ERICKSON, CORMAN,  
PIPPY, KITCHEN, TOMLINSON, ORIE, RAFFERTY AND C. WILLIAMS,  
SEPTEMBER 18, 2008

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REFERRED TO PUBLIC HEALTH AND WELFARE, SEPTEMBER 18, 2008

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AN ACT

1 Establishing the Keystone Care Prescription Assistance Program  
2 in the Department of Public Welfare to provide prescription  
3 drug assistance; and making an appropriation.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Keystone Care  
8 Prescription Assistance Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Community-based health care clinic." A nonprofit health  
14 care center located in this Commonwealth that provides health  
15 care services to low-income and uninsured individuals, and meets  
16 either of the following criteria:

17 (1) serves a federally designated medically underserved  
18 area, a medically underserved population or a health

1 professional shortage area; or

2 (2) serves a patient population with a majority of that  
3 population having an income less than 200% of the Federal  
4 poverty income guidelines, including:

5 (i) A federally qualified health center as defined  
6 in section 1905(1)(2)(B) of the Social Security Act (49  
7 Stat. 620, 42 U.S.C. § 1396d(1)(2)(B)) or a federally  
8 qualified health center look-alike.

9 (ii) A rural health clinic as defined in section  
10 1861(aa)(2) of the Social Security Act (49 Stat. 620, 42  
11 U.S.C. § 1395x(aa)(2)), certified by Medicare.

12 (iii) A hospital health clinic.

13 (iv) A free or partial-pay health clinic that  
14 provides services by volunteer and nonvolunteer health  
15 care providers.

16 (v) A nurse-managed health care clinic that is  
17 managed by advanced practice nurses and is associated  
18 with a department of nursing, a federally qualified  
19 health center or an independent nonprofit health or  
20 social services agency.

21 "Department." The Department of Public Welfare of the  
22 Commonwealth.

23 "Low-income adult." An individual who meets all of the  
24 following:

25 (1) Is at least 19 years of age but less than 65 years  
26 of age.

27 (2) Resides in this Commonwealth for at least six  
28 months.

29 (3) Has a household income that is less than 200% of the  
30 Federal poverty limit.

1 "Prescription drug." A drug requiring a prescription in this  
2 Commonwealth.

3 "Program." The Keystone Care Prescription Assistance Program  
4 established in section 3, otherwise known as KeyCare.

5 "Registry." A listing maintained by the Department of Public  
6 Welfare of free prescription drugs provided by pharmaceutical  
7 manufacturers for dispensing at community-based health care  
8 clinics.

9 Section 3. Establishment.

10 The Keystone Care Prescription Assistance Program (KeyCare)  
11 is hereby established within the department to:

12 (1) Enable low-income adults without prescription drug  
13 coverage to be linked to an appropriate free or low-cost  
14 prescription assistance program.

15 (2) Assist low-income adults who lack prescription drug  
16 coverage in the application process for appropriate free or  
17 low-cost prescription assistance programs.

18 (3) Create a registry of free prescription drugs  
19 provided by pharmaceutical manufacturers that are made  
20 available to community-based health care clinics for  
21 dispensing to individuals receiving health care at that  
22 clinic.

23 Section 4. Administration.

24 The department shall do all of the following:

25 (1) Establish and maintain an online database of free or  
26 low-cost prescription assistance programs.

27 (2) Assist low-income adults with the application  
28 process for enrollment in appropriate free or low-cost  
29 prescription assistance programs.

30 (3) Establish a toll-free telephone number for low-

1 income adults to use to contact the department for assistance  
2 in the program.

3 (4) Establish a public awareness campaign to educate  
4 individuals about the program.

5 (5) Establish a registry of free prescription drugs  
6 provided at no cost by pharmaceutical manufacturers for  
7 dispensing at community-based health care clinics.

8 (6) Establish agreements with pharmaceutical  
9 manufacturers for prescription drugs that will be provided at  
10 no cost and may be placed on the registry.

11 (7) Create a mechanism for community-based health care  
12 clinics to access available prescription drugs placed on the  
13 registry.

14 (8) Consult with the State Board of Pharmacy to maximize  
15 resources.

16 Section 5. Limitations on payments by department.

17 The program shall not exceed the amount of funds available,  
18 and any payment shall not constitute an entitlement from the  
19 Commonwealth or a claim on any other funds of the Commonwealth.

20 Section 6. Appropriation.

21 The sum of \$1,000,000 is hereby appropriated to the  
22 Department of Public Welfare to carry out the provisions of this  
23 act.

24 Section 20. Effective date.

25 This act shall take effect in 90 days.