

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 380 Session of 2011

INTRODUCED BY McILHINNEY, WILLIAMS, ORIE, ALLOWAY, TOMLINSON,
RAFFERTY, SMUCKER, PILEGGI, ERICKSON, EARLL, YUDICHAK, PIPPY,
MENSCH, COSTA, BRUBAKER, M. WHITE, KASUNIC AND BREWSTER,
FEBRUARY 3, 2011

REFERRED TO PUBLIC HEALTH AND WELFARE, FEBRUARY 3, 2011

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

1 area, a medically underserved population or a health
2 professional shortage area; or

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

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

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

13 (iii) A hospital health clinic.

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

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

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

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

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

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

30 (3) Has a household income that is less than 200% of the

1 Federal poverty limit.

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

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

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

10 Section 3. Establishment.

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

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

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

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

24 Section 4. Administration.

25 The department shall do all of the following:

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

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

1 (3) Establish a toll-free telephone number for low-
2 income adults to use to contact the department for assistance
3 in the program.

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

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

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

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

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

17 Section 5. Limitations on payments by department.

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

21 Section 6. Appropriation.

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

25 Section 20. Effective date.

26 This act shall take effect in 90 days.