



Revising New Mexico's Drug Donation Program to Improve Patient Care

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No conflicts of interest to report for
anyone listed in this presentation.

Personal Statement

- ▶ Research Coordinator at UNMH Emergency Department
- ▶ Noticed many patients “noncompliant” with medications
 - ▶ Unwilling to take medication
 - ▶ Lack of access to medication
 - ▶ ***Unable to pay for medication***

Medication: Behind the Scenes

- ▶ 9 in 10 New Mexicans are concerned about prescription drug prices.¹
- ▶ Nearly 1 out of 2 New Mexicans have skipped a medication dose or have not refilled medications due to costs.¹
- ▶ 1 in 4 Americans cannot afford the prescriptions they need to remain healthy. Each year, **15 million Americans forgo medication** for serious health conditions **due to the cost.**²

Medication: Behind the Scenes

- ▶ **\$10 billion worth of prescription medications are destroyed or sent to landfills each year in the United States.**³
- ▶ Disposal of unused prescription drugs has detrimental effects on the environment
 - 70% of our waterways used for drinking water containing traces of pharmaceuticals.

Means to Obtain Free/Reduced Cost Medication

- ▶ GoodRx
- ▶ CostPlus
- ▶ SingleCare
- ▶ NeedyMeds
- ▶ 340B Pricing
- ▶ Good Pill

Cost Comparison

Medication	Good Pill Price	GoodRx Price*	CostPlus Price*	SingleCare Price*
Atorvastatin 40mg tablet, 90- day supply	\$6	\$20-\$52	\$9 + \$5 shipping	\$11-\$83
Omeprazole 40mg tablet, 90- day supply	\$6	\$13-\$70	\$14 + \$5 shipping	\$14-\$111
Sertraline 100mg, 90-day supply	\$6	\$11-\$74	\$9 + \$5 shipping	\$9-\$28

*Prices obtained on November 13th, 2023- subject to change.

New Mexico Medicaid

What New Mexico offers:

State	Type of Medicaid
<u>New Mexico</u>	Institutional / Nursing Home Medicaid
New Mexico	Medicaid Waivers / Home and Community Based Services
New Mexico	Regular Medicaid / Aged Blind and Disabled

Who Qualifies?

1. Must be a resident of New Mexico
2. A U.S. national, citizen, or permanent resident

AND criteria to be met:

1. Adult < 65 with household income up to 138% of poverty
2. Children aged 0-5 with household income up to 305% of poverty
3. Children aged 6-18 with household income up to 245% of poverty
4. Pregnant women with household income up to 255% of poverty.

Strategies to Address Disparities

Drug Donation Programs	Online Savings Programs
<ul style="list-style-type: none">• Less expensive• Repurpose medications, reduce medical waste• Often medications delivered right to your door• Another avenue to expand access to medications	<ul style="list-style-type: none">• Does not address landfill waste• Requires subscriptions for “better coupons” (ex: GoodRx Gold)• Able to obtain medication through multiple brand pharmacies (Walmart, CVS, Target, etc.)

Current New Mexico Law

- ▶ Senate Bill 37 50th Legislature introduced by Dede Feldman (2011)
- ▶ NMSA
Chapter 26 - Drugs and Cosmetics
Article 1 - General Provisions
Section 26-1-3.2 - Prescription drug donation
- ▶ NM Board of Pharmacy Rules and Laws: Title 16.19.34

Current NM Law and Regulations

- ▶ Patient donation to original clinic/practitioner
- ▶ Limits types of entities accepting/distributing donated medication
- ▶ Current expiration requirement greater than six months
- ▶ Detailed recordkeeping
- ▶ Handling fee limit
- ▶ **Donations only within New Mexico**

Little Participation in NM

- ▶ BOP lists 23 participating clinics in New Mexico:
 - ▶ 1 with active participants (La Clinica de Familia Women's Health Center- Las Cruces, NM)
 - ▶ 6 are aware of the program and are active with no current patients
 - ▶ 12 do not actually participate
 - ▶ 2 did not answer/phone listed is out of service
 - ▶ 1 unknown current participation status
 - ▶ 1 is a veterinary clinic

SIRUM

- ▶ Supporting Initiative to Redistribute Unused Medicine
 - ▶ 501c3
- ▶ Receive/ help distribute medications meeting the following requirements:
 - ▶ Sealed/Unopened
 - ▶ Non-refrigerated
 - ▶ Non-controlled
 - ▶ Examples: antibiotics, blood pressure, mental health, diabetes, respiratory, etc.



Opportunities for Revision in NM Laws and Regs

- ▶ Broaden eligible donors and increase patient access to unused drugs
- ▶ Expand eligible recipient entities
- ▶ Align expiration date requirements with current NM Prescription law
- ▶ Reduce recordkeeping burden
- ▶ Handling fees
- ▶ Permit transfer of donated drugs in and out of state

Please refer to “Drug Prescription Donation: Senate Bill 37
Revised Specific Amendments”

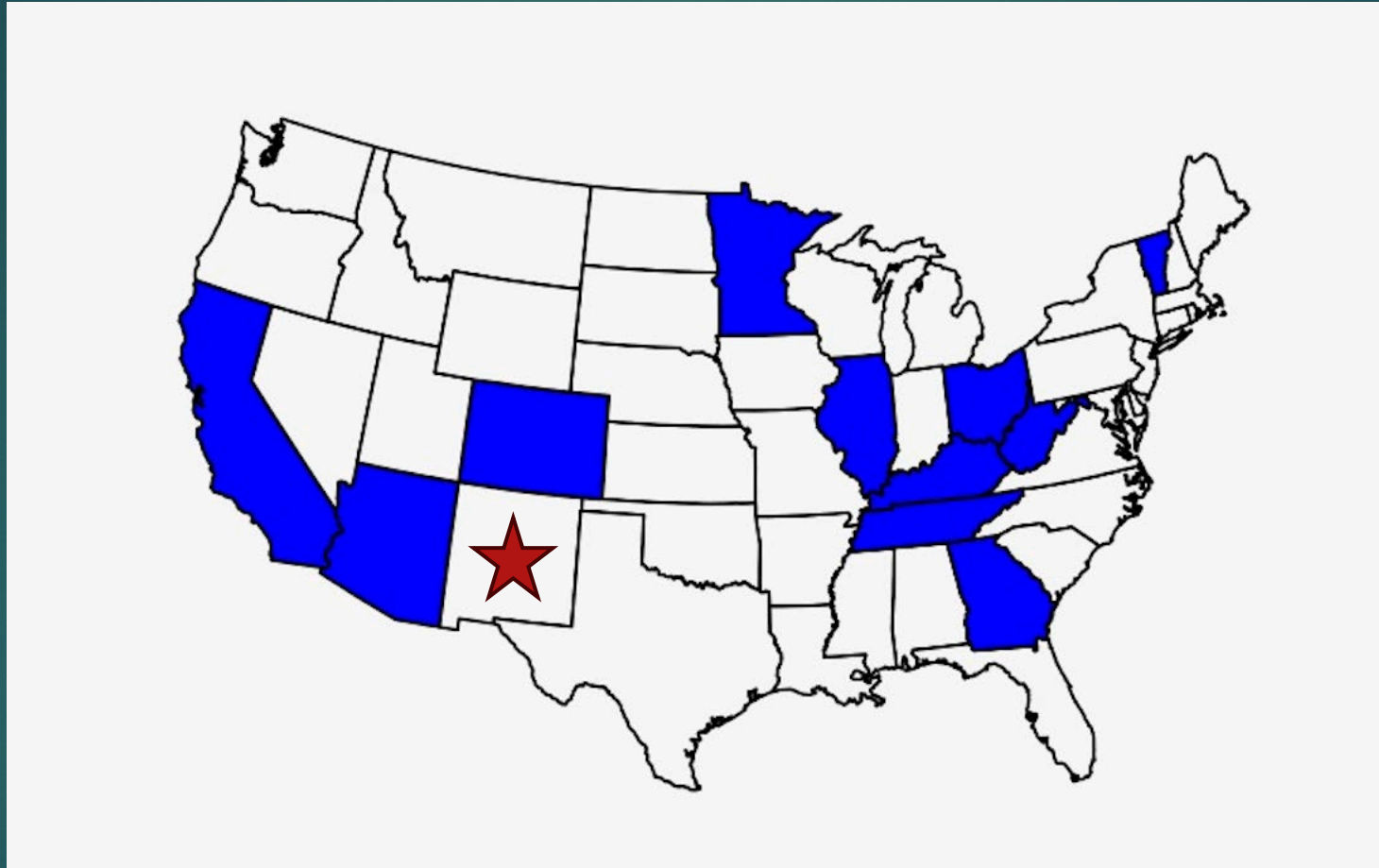
Opportunities for Revision in NM Laws and Regs

- ▶ Our patients and the state budget could benefit from statutory changes to allow the creation of these types of pharmacies in New Mexico and give such pharmacies outside of New Mexico the opportunity to dispense medicine to patients in need.

Opportunities for Revision in NM Laws and Regs

- ▶ As of July 2023:
 - 46 states and territories have laws establishing drug redistribution programs
 - 27 states currently have drug redistribution programs

SIRUM Technical Assistance



NM Model Law

▶ Please refer to Model Law handout

Unused medicine donation.

1. Definitions. In this Act:

- a. "Controlled substance" means a drug, substance, or immediate precursor in Schedules I through V of 21 CFR Part 1308.
- b. "Donor" shall mean any person, including an individual member of the public, or any entity legally authorized to possess medicine, including but not limited to a wholesaler or distributor, third party logistic providers, pharmacy, dispenser, clinic, surgical or health center, detention and rehabilitation centers, jails, prisons, laboratory, medical or pharmacy school, prescriber or other health care professional, long-term care facility or healthcare facility. Donor shall also mean government agencies and entities that are federally authorized to possess medicine including but not limited to drug manufacturers, repackagers, relabelers, outsourcing facilities, Veteran Affairs hospitals, FDA authorized importers such as those under Federal FD&C Section 801, 804, or similar provisions, and prisons.
- c. "Recipient" means any entity legally authorized to possess medicine with a license or permit in good standing in the state in which it is located, including but not limited to a wholesaler or distributor, reverse distributor, repackager, hospital, pharmacy, clinic, or prescriber office.
- d. "Eligible patient" means an individual who is indigent, uninsured, underinsured, or enrolled in a public health benefits program. Other patients shall be considered eligible if a need for the donated medicine is not identified among indigent, uninsured, underinsured, or public health benefits program enrolled individuals.
- e. "Orally administered cancer medicine" means either of the following:
 - i. An orally administered medicine that is used to treat cancer or its side effects; or
 - ii. An orally administered medicine that is used to treat the side effects of a medicine used to treat cancer.
- f. "Unopened tamper-evident packaging" shall have the same meaning as United States Pharmacopeia (USP) General Chapter 659, Packaging and Storage Requirements including but not limited to unopened unit-dose, multiple-dose, immediate, secondary, and tertiary packaging.
- g. "Medicine" means both prescription and non-prescription ("over-the-counter") drugs including FDA-approved drugs labeled for investigational use. It also includes prescription and non-prescription supplies and medical devices.
- h. "Health care professional" means a person who is licensed to practice as a physician, registered nurse, licensed practical nurse, optometrist, pharmacist, or any other practitioner authorized to dispense or administer.
- i. "Returns processor" shall have the same meaning as 21 U.S.C. Section 360eee(18) and shall include but is not limited to a reverse distributor.

2. Notwithstanding any other law or rule, donors may donate medicine to a recipient. A recipient may receive donated medicine from donors.

In Summary:

- ▶ Patients in the U.S. and New Mexico are struggling to obtain medications at reasonable prices, causing an increased number of health complications.
- ▶ Drug donation program benefits
- ▶ Amend current legislation



THANK YOU!

QUESTIONS?

Contact:
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References

1. [New Mexico Consumers for Affordable Prescriptions](#)
2. West Health, “The U.S. Healthcare Cost Crisis,” 2019.
3. West Health, “34 Million Americans Know of Family Member or Friend Who Died the Last 5 Years After Being Unable to Afford Treatment,” 2019.
4. [NM Prescription Drug Donation Program](#)
5. [NM Board of Pharmacy list of participating clinics](#)
6. [National Conference of State Legislatures, State Prescription Drug Repository Programs](#)