

1 A MEMORIAL

2 REQUESTING THE HUMAN SERVICES DEPARTMENT TO COMMISSION A
3 PHARMACY COST-OF-DISPENSING STUDY TO EVALUATE AN APPROPRIATE
4 PROFESSIONAL DISPENSING FEE AS REQUIRED BY THE FEDERAL
5 CENTERS FOR MEDICARE AND MEDICAID SERVICES USING NEW MEXICO
6 ACTUAL PHARMACY DATA.

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8 WHEREAS, prescription drugs, when used correctly and
9 with professional guidance, are a key element of health care;
10 and

11 WHEREAS, New Mexico pharmacies are critical to providing
12 frontline care to New Mexico residents; and

13 WHEREAS, New Mexico is a largely rural state, where
14 access to health care services, including pharmacy services,
15 can be disparate; and

16 WHEREAS, independent community pharmacies are locally
17 owned small businesses, stable employers and engaged
18 community members; and

19 WHEREAS, independently owned community pharmacies are
20 struggling to keep their doors open in the face of
21 historically low professional dispensing fee reimbursements
22 paid through pharmacy benefits managers; and

23 WHEREAS, pharmacy benefits managers own competing
24 pharmacies and simultaneously decide the dispensing fee
25 reimbursement amount that a participating pharmacy will

1 receive for serving patients; and

2 WHEREAS, the information gleaned from a study of
3 dispensing fees could be useful to state policymakers as well
4 as private and public pharmacy drug benefit payers;

5 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE
6 STATE OF NEW MEXICO that the human services department be
7 requested to commission a pharmacy cost-of-dispensing study
8 to evaluate an appropriate professional dispensing fee as
9 required by the federal centers for medicare and medicaid
10 services using New Mexico actual pharmacy data; and

11 BE IT FURTHER RESOLVED that the chosen contractor,
12 survey instrument and methodology be consistent with
13 guidelines from the federal centers for medicare and medicaid
14 services regarding the components of pharmacy costs that are
15 appropriately applied reimbursements through the pharmacy
16 dispensing fee of a state medicaid program; and

17 BE IT FURTHER RESOLVED that the secretary of human
18 services be requested to provide the findings of the study to
19 the governor, the legislative finance committee, the
20 legislative health and human services committee and the
21 superintendent of insurance by November 30, 2021; and

22 BE IT FURTHER RESOLVED that funding for the study be
23 included in the fiscal year 2022 human services department
24 state budget appropriation; and

25 BE IT FURTHER RESOLVED that copies of this memorial

1 be transmitted to the governor, the secretary of human
2 services, the chair of the legislative health and human
3 services committee, the chair of the legislative finance
4 committee and the superintendent of insurance. _____

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