

**ASSEMBLY CONCURRENT
RESOLUTION No. 112**

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Urges US Congress and President to strengthen provisions of Medicare Part D.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/13/2020)

1 **A CONCURRENT RESOLUTION** respectfully urging the President and
2 the Congress of the United States to enact a law strengthening
3 certain provisions of the Medicare Part D program and
4 preserving access to prescription medications by senior citizens
5 and Americans with disabilities participating in Medicare.
6
7 **WHEREAS**, Certain health plans, particularly Medicare prescription
8 drug plans, have selected specific pharmacies to be the plan's
9 "preferred" pharmacy and patients in these plans must change
10 pharmacies or pay higher co-pays to continue with their current
11 pharmacy; and
12 **WHEREAS**, Many drug plans within the Medicare Part D program fail
13 to meet the convenient access standards established by the Centers
14 for Medicare and Medicaid Services, which has resulted in a lack of
15 access in urban areas and, in less populated areas, patients may
16 have to travel many miles to reach a "preferred" pharmacy; and
17 **WHEREAS**, Reportedly, many pharmacy providers are being unfairly
18 excluded from participation within Medicare Part D pharmacy
19 networks, even when willing to accept the network's pricing terms
20 and conditions; and
21 **WHEREAS**, Community retail pharmacies provide specialized services
22 to patients, including those for whom English is a second language,
23 and these services are often excluded from "preferred" pharmacies
24 as a result of current practices; and
25 **WHEREAS**, Community retail pharmacies and community pharmacists
26 and healthcare professionals in their employ play a vital role in
27 providing patient care to some of the most vulnerable and neediest
28 populations, often being the most accessible form of pharmacy
29 option to the patients they serve who cannot travel long distances
30 or, due to privacy and other concerns, do not wish to receive
31 prescription medications by mail; and
32 **WHEREAS**, A growing number of pharmacy patients may face onerous
33 trips to access discounted co-pays at one of their Medicare drug
34 plan's "preferred" pharmacies; and
35 **WHEREAS**, Medicare Part D should allow a patient to freely choose
36 their pharmacies, based on their particular healthcare needs and
37 preferences, and not based on a government entity or particular
38 corporation's opinion about where such services should be
39 accessed; and
40 **WHEREAS**, The United States Congress must enforce "Any Willing
41 Provider" standards within the Medicare Part D program and allow
42 all pharmacies who are willing to meet the terms and conditions of
43 a pharmacy network contract to participate in that network without
44 penalty or retaliation; now, therefore,
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46 **BE IT RESOLVED** by the General Assembly of the State of New
47 Jersey (the Senate concurring):

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