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Testimony on:
HB 2578: Utilization of Unused Medications Act

presented to:
Senate Ways and Means Committee

by:
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January 31, 2008

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**Testimony to the Senate Ways and Means Committee
January 31, 2008**

**HB 2578: Utilization of Unused Medications Act
Marcia J. Nielsen, PhD, MPH, Executive Director Kansas Health Policy Authority**

Good morning Mr. Chairman and Committee members. I am Barbara Langner, Policy Director of the Kansas Health Policy Authority. Thank you for the opportunity to address the Senate Ways and Means Committee on the utilization of unused medications act, HB 2578. On behalf of the Authority I would like to express support for passage of the bill.

As discussed last legislative session on March 22, 2007 during the House Appropriations Committee meeting, representatives of the Kansas Health Policy Authority Pharmacy Program were involved in the drafting of HB 2578 ensuring that the bill is in line with the vision principles of our agency. In particular HB 2578 will improve access to care by providing medications to citizens through Federally Qualified Health Centers – citizens who may have been without medications. The bill promotes efficiency in health care by allowing adult care homes that participate in the utilization of the unused medications program to donate medications they might otherwise have discarded. As we indicated last session in our support of this bill, the Center for Medicare and Medicaid Services (CMS) requires that the state Medicaid agency be reimbursed when unused medications are restocked and reused and the current bill recognizes that policy.

The passage of this modified bill would not affect medications purchased under the Medicaid or SCHIP programs, which are required by state and federal regulations to be returned and credited to the state. These regulations are in place to protect the financial integrity of the Medicaid program and to curtail prescription drug waste. However, medications paid for by the Medicare prescription drug benefit can be donated by the beneficiary to state agencies and charitable organizations. We believe that this bill could potentially prevent the waste of unused medications purchased by private citizens or other third party health plans such as Medicare Part D, and in doing so, benefit the medically indigent population of the state of Kansas.

Thank you for this opportunity to present these comments. We would be happy to field any questions the Committee may have.