

HCS HB 56 -- REFERRALS FOR HEALTH CARE SERVICES

SPONSOR: Behnen (Threlkeld)

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Professional Registration and Licensing by a vote of 12 to 0.

This substitute specifies that anti-kickback laws relating to referrals for health care services do not apply to certain programs established by pharmaceutical companies to provide financial assistance to individuals with chronic, potentially debilitating, or life-threatening conditions who have been prescribed disease-managing medications for which there is no generic equivalent.

FISCAL NOTE: No impact on state funds in FY 2006, FY 2007, and FY 2008.

PROPOSERS: Supporters say that persons with multiple sclerosis can only take certain disease modifying drugs. These drugs are very expensive, averaging in cost between \$12,000 and \$18,000 a year. Due to the high cost of these drugs, most insurance plans have gone from co-pay to co-insurance, a percentage of the cost. The costs of co-insurance has placed a significant financial burden on persons with multiple sclerosis. The drug companies are willing to help with the costs of the co-insurance by providing rebates to patients. Currently, Missouri's anti-kickback law prohibits this type of rebating, but the bill will allow the drug companies to provide some relief for the patients.

Testifying for the bill were Representative Threlkeld; Multiple Sclerosis Society; and Mary Kay Fink.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that the language relating to non-profit organizations is too broad.

Others testifying on the bill were Missouri Health Care Association; and Missouri Hospital Association.

Bob Dominique, Legislative Analyst