

116TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To codify a statutory definition for long-term care pharmacies.

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IN THE SENATE OF THE UNITED STATES

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Mr. SCOTT of South Carolina (for himself and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on

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**A BILL**

To codify a statutory definition for long-term care pharmacies.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Long-Term Care Phar-  
5 macy Definition Act of 2020”.

6 **SEC. 2. DEFINITION.**

7 Section 1860D–2 of the Social Security Act (42  
8 U.S.C. 1395w–102) is amended by adding at the end the  
9 following new subsection:

10 “(f) LONG TERM CARE PHARMACY DEFINED.—

1           “(1) IN GENERAL.—The term ‘long-term care  
2 pharmacy’ means a pharmacy licensed under appli-  
3 cable State law that is able to provide enhanced  
4 pharmacy and clinical services to individuals who re-  
5 quire enhanced medication services and reside in a  
6 facility (as defined in paragraph (4)).

7           “(2) ENHANCED PHARMACY AND CLINICAL  
8 SERVICES.—As used in this subsection, the term ‘en-  
9 hanced pharmacy and clinical services’ includes—

10           “(A) medications dispensed pursuant to a  
11 prescription or chart order in specialized pack-  
12 aging which shall include unit of use packaging,  
13 unit dose packaging, single use containers,  
14 packaging from remote automated dispensing  
15 technology, or other packaging required;

16           “(B) drug utilization review to identify po-  
17 tential adverse drug reactions and inappropriate  
18 drug usage;

19           “(C) medication reconciliation services at  
20 the transition of care and other necessary clin-  
21 ical management and medication services;

22           “(D) timely medication delivery 24 hours a  
23 day, 7 days a week;

1           “(E) pharmacist on-call availability to pro-  
2           vider dispensing and clinical services 24 hours  
3           a day, 7 days a week;

4           “(F) emergency supplies of medication as  
5           permitted by law and as required, including  
6           emergency kits or remote automated dispensing  
7           technology at a facility; and

8           “(G) such other services as the Secretary  
9           determines appropriate.

10          “(3) INDIVIDUALS REQUIRING ENHANCED  
11          MEDICATION SERVICES.—As used in this subsection,  
12          the term ‘individual who requires enhanced medica-  
13          tion services’ means an individual who has one or  
14          more comorbid and medically complex chronic condi-  
15          tions that are life-threatening or significantly limit  
16          overall health or function, pose a high risk of hos-  
17          pitalization or other adverse health outcomes, and  
18          require enhanced pharmacy and clinical services.

19          “(4) FACILITY.—As used in this subsection, the  
20          term ‘facility’ includes a facility described in section  
21          1819(a), 1919(a), or 1905(d), or any other setting  
22          in which individuals who require enhanced medica-  
23          tion services reside as determined by the Sec-  
24          retary.”.