2023 TPA LEGISLATIVE PRIORITIES

STATE LEGISLATIVE PRIORITY	DESCRIPTION
ACCESS TO PHARMACIST SERVICES VIA COLLABORATIVE PRACTICE AGREEMENTS AND OTHER MECHANISMS	The fight against COVID-19 has demanded the federal government take action to allow pharmacists and other health care professionals to do more of what they are trained to do. Through flexibility on certain requirements and expanding scope of practice through new authorities, the federal government has made it easier for pharmacists and pharmacy technicians to provide care to patients during the COVID-19 public health emergency. Many of these flexibilities and authorities are not considered permanent and further action is needed at the state level. There is a need to assist Tennessee pharmacists who want to approach collaborative agreement conversations with all types of prescribers in their communities. We need to address the gaps in collaborative practice agreements, which include limitations on assisting the needs of a community health, relevance to communication between parties, and the role of the prescriber and their supervision.
BOARD OF PHARMACY COMPOSITION	Encourage the Tennessee Board of Pharmacy to add a pharmacy technician to the Board composition. One of the goals for TPA's strategic plan was to expand technician roles, the addition of a pharmacy technician to the Board of Pharmacy would ensure we are being inclusive to all pharmacy professional, and it would allow a technician to represent their colleagues in the profession.
DRUG DONATION PHARMACIES	For patients with little to no insurance coverage, charity care and drug donation-based pharmacies serve an important need for access to affordable medications. The current structure for such programs in the state is falling behind national standards for assisting these patients in need. This effort will look to broaden the definition of donors for such programs, redefine income qualifiers as less than 600% of the federal poverty level, and extend acceptable medications to include inhalers, patches, injectables, and over-the-counter medications.

STATE LEGISLATIVE POSITION	DESCRIPTION
EFFECTIVE ENFORCEMENT OF PBM REFORM	In 2022, the state of Tennessee passed and adopted Public Chapter 1070 to regulate pharmacy benefit managers (PBMs). As the law is effective on January 1, 2023, TPA will continue to work closely with the Tennessee Department of Commerce and Insurance (TDCI) to ensure PBMs abide by the law. With the U.S. Supreme Court decision in Rutledge v. PCMA, the state of Tennessee has clear authority to regulate PBMs. Drug distribution models known as white bagging and brown bagging undermine hospitals' patient safety protections and jeopardize patient care. These practices allow insurers, rather than the patient's pharmacist and healthcare provider, to determine when, where, and how drugs are purchased, prepared, and administered to patients. With the passage of Public Chapter 1070, TPA will look for enforcement capability of TDCI for drug distribution models that impact patient safety.
CLARIFICATION OF PHARMACISTS' ROLE IN ACCESS TO WOMEN'S HEALTH CARE	In 2022, the U.S. Supreme Court overturned Roe v. Wade, which has left medical professionals, especially pharmacist with unclear guidance on ensuring appropriate access to women's healthcare needs. TPA will seek further guidance on whether pharmacists can be prosecuted for dispensing medication with multiple uses if the patient uses the medication to result in an abortion. Pharmacists need clarification on protection to healthcare providers as they help their patients. Some medications contributing to pharmacists' hesitancy or resistance to dispense them, include methotrexate, mifepristone, and misoprostol.
CRIMINALIZATION OF MEDICAL ERRORS	As a Tennessee nurse was criminally prosecuted for a medical error that led to patient harm, this criminal prosecution has made healthcare professionals, including pharmacists, concerned about just culture in our healthcare system and the criminalization of medical errors. Criminalizing healthcare professionals for medical errors can push healthcare professionals to not report potential errors that could have occurred. Pharmacists are concerned with how this will impact future medical error reporting and impact opportunities to resolve system failures prior to medical errors occurring. TPA will look to support efforts to decriminalize medical errors.
MEDICAL CANNABIS	TPA supports the role of the pharmacist in consultation and provision of medical cannabis. Many states have included pharmacists in medical cannabis dispensing and have valued their input and direction in these processes.