

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 682

Short Title: Home Care/Pharmacy Services.

(Public)

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Sponsors: Representatives Gardner; and Sexton.

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Referred to: Human Resources.

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March 31, 1997

A BILL TO BE ENTITLED

1 AN ACT TO INCLUDE HOME CARE AGENCIES UNDER THE PHARMACY OF  
2 CHOICE LAW WHEN THEY ARE PROVIDING NURSING INFUSION  
3 SERVICES.  
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 58-51-37(a) reads as rewritten:

7 "(a) This section shall apply to all health benefit plans providing pharmaceutical  
8 services benefits, including prescription drugs, to any resident of North Carolina. This  
9 section shall also apply to insurance companies and health maintenance organizations  
10 that provide or administer coverages and benefits for prescription drugs. This section  
11 shall not apply to any entity that has its own facility, employs or contracts with  
12 physicians, pharmacists, nurses, and other health care personnel, and that dispenses  
13 prescription drugs from its own pharmacy to its employees and to enrollees of its health  
14 benefit plan; provided, however, this section shall apply to an entity otherwise excluded  
15 that contracts with an outside pharmacy or group of pharmacies to provide prescription  
16 drugs and services. This section shall not apply to any federal program, clinical trial  
17 program, hospital or other health care facility licensed pursuant to Chapter 131E or  
18 Chapter 122C of the General Statutes, when dispensing prescription drugs to its ~~patients-~~  
19 patients, except that this section shall apply to licensed home care agencies when they are

1 providing infusion nursing services under Part C of Article 6 of Chapter 131E of the  
2 General Statutes."

3           Section 2. This act applies to all health benefit plans that are delivered, issued  
4 for delivery, or renewed on and after October 1, 1997. For the purposes of this act,  
5 renewal of a health benefit plan is presumed to occur on each anniversary of the date on  
6 which coverage was first effective on the person or persons covered by the health benefit  
7 plan.

8           Section 3. This act is effective when it becomes law.