Dispensing of Prescription Drugs in Long-Term Care Facilities

**Summary:** Requires Medicare Part D plans to develop drug dispensing techniques to reduce prescription drug waste in long-term care facilities.

**Next steps:**
- March 19, 2010 -- Centers for Medicare and Medicaid Services (CMS) participated in the “Short Cycle Dispensing Focus Group for Long Term Care” program hosted by the National Council for Prescription Drug Programs (NCPDP).
- On June 29, 2010 -- CMS hosted a meeting on long-term care waste and the implementation of this provision.
- November 22, 2010 – CMS issued proposed regulations requiring a 7 day or less dispensing requirement for branded drugs only.
- April 15, 2011 – CMS issued final regulations requiring a 14 day or less dispensing requirement and delayed the enforcement until January 1, 2013.
- January 1, 2012 – Provision goes into effect (statutory requirement)
- January 1, 2013 – Provision is enforced (regulatory requirement).

**Additional information:**

**Long summary:**
Sec. 3310. Reducing wasteful dispensing of outpatient prescription drugs in long-term care facilities under prescription drug plans and MA–PD plans.
Beginning for plan years on or after January 1, 2012, a Prescription Drug Plan (PDP) sponsor must utilize specific, uniform dispensing techniques, as determined by the Secretary, in consultation with relevant stakeholders (including representatives of nursing facilities, pharmacists, the pharmacy industry (including retail and long-term care pharmacy), PDPs, Medicare Advantage Prescription Drug Plans and any other stakeholders) determined appropriate by the Secretary, such as weekly, daily or automated dose dispensing when dispensing covered Part D drugs to enrollees in a long-term care facility to reduce waste associated with 30-day fills.
Legislative text:

SEC. 3310. REDUCING WASTEFUL DISPENSING OF OUTPATIENT PRESCRIPTION DRUGS IN LONG-TERM CARE FACILITIES UNDER PRESCRIPTION DRUG PLANS AND MA–PD PLANS.

(a) IN GENERAL—

(b) Section 1860D–4(c) of the Social Security Act (42 U.S.C. 1395w–104(c)) is amended by adding at the end the following new paragraph:

“(3) REDUCING WASTEFUL DISPENSING OF OUTPATIENT PRESCRIPTION DRUGS IN LONG-TERM CARE FACILITIES.—The Secretary shall require PDP sponsors of prescription drug plans to utilize specific, uniform dispensing techniques, as determined by the Secretary, in consultation with relevant stakeholders (including representatives of nursing facilities, residents of nursing facilities, pharmacists, the pharmacy industry (including retail and long-term care pharmacy), prescription drug plans, MA–PD plans, and any other stakeholders the Secretary determines appropriate), such as weekly, daily, or automated dose dispensing, when dispensing covered part D drugs to enrollees who reside in a long-term care facility in order to reduce waste associated with 30-day fills.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to plan years beginning on or after January 1, 2012.