



THE SCRIPT

QUARTERLY NEWSLETTER
MISSISSIPPI BOARD OF PHARMACY

NEXT BOARD MEETING

Our next board meetings will be held on

- May 30, 2024
- July 25, 2024
- Sept 19, 2024
- Nov 21, 2024

at the Board of Pharmacy's office located at 6311 Ridgewood Road, Suite E 401 Jackson, MS. The meeting will begin at 9:00 a.m.

2024 MS CHAPTER OF NADDI TRAINING CONFERENCE

The Mississippi Chapter of NADDI is hosting a Training Conference on April 17, 2024, at the Brandon MS Civic Center. The NADDI networking platform provides the opportunity to bring diverse viewpoints, education, and resources to individuals facing challenges in the fight against the misuse and abuse of pharmaceutical drugs. We invite you to register as an attendee or participate as an exhibitor. [Click here to register.](#)

Six hours of continuing education for MS Board of Pharmacy have been approved. These hours will satisfy both live and opioid related continuing education requirements. Please share this information with other members in your organization. If you have any questions, please contact Patricia Culbertson at pculbertson@mbp.ms.gov.

STAFF VERIFICATION

Technician Renewal ended on 3/31/24. It is the duty of the PIC and facility to ensure that all of your technician staff have an active registration status. Employees that do not reflect an active registration status are not allowed to work in a pharmacy. You can verify the licensing or registration status of any employee on the licensing verification search page.

<https://gateway.mbp.ms.gov/Verification/search.aspx>

TELEHEALTH PRESCRIPTIONS AND LICENSURE REQUIREMENTS

Providers that provide telehealth services for patients where the basis of the relationship is telehealth and there is no other established relationship must be licensed to practice in MS.

- For unknown providers, you can ensure appropriate MS licensure status at the respective licensing board.
- For physicians, use the [License Lookup](#) via the MS State Board of Medical Licensure website.
- For nurse practitioners, use the [License Verification](#) on the MS Board of Nursing website.



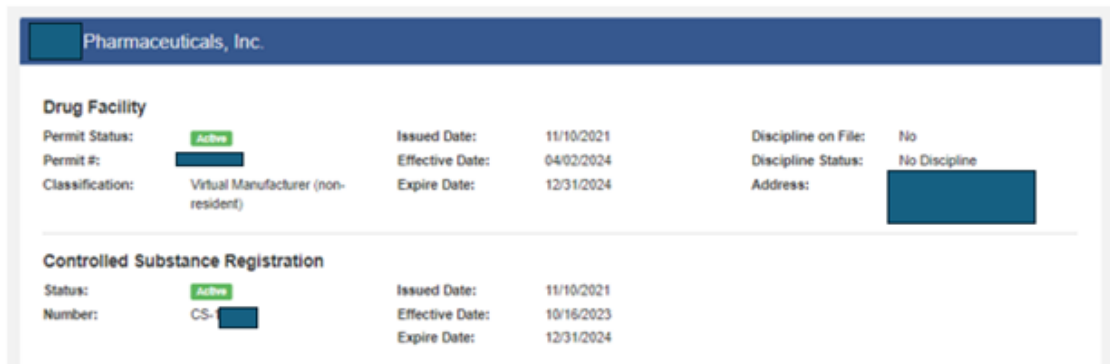
Benjamin Franklin played a crucial role in establishing the first public hospital and hospital pharmacy in the United States.

UPDATED SEARCH FEATURE FOR EXTERNAL LICENSE VERIFICATION

You are responsible for ensuring that any entity that you purchase medications from is licensed to conduct business in Mississippi. Go to www.mbp.ms.gov and select "License Verification" from the upper corner of the main screen.



For Drug Facilities (manufacturer, wholesaler, 3rd party logistics, etc.) you may now perform a search without specifying the specific business activity. Once you select a facility from a search, you will see additional details regarding their business activity and classification.



Pharmacies that compound medications must possess a valid compounding certificate in addition to a pharmacy permit. This information is now displayed once a specific pharmacy is selected from a search.



THE DIRECTOR'S REPORT

2024 Legislative Update

The 2024 Legislative Session has welcomed many new legislative faces. The session is scheduled to run until May 5th. Many bills have been introduced that are of interest to the pharmacy community. Below is a non-exhaustive update of the session so far.

A wide range of bills have died in committee as the deadline for bills to proceed out of committee has passed. Bills that died in committee ranged from clinician administered drugs, test and treat, drug importation, pharmacist required to dispense, licensing oversight of certified medication aides, nurse practitioner dispensing, and multiple PBM focused bills. PBM bills were proposed that would further close loopholes that allow barriers to medication access. Multiple attempts were made to transfer all or a portion of PBM oversight to the Department of Insurance and away from the MS Board of Pharmacy. We will continue to monitor bills for the remainder of the session for such intent.

Bills on 340B (HB 728), prevention of Medicare Advantage Plan telephone solicitations (HB 1350), prevention of step therapy for cancer (HB 1143), and payment for pharmacist services within existing scope (HB 1265) remain alive as of April 5th and either require floor action before the 4/10 floor deadline or are already planned to head to conference.

Lastly, SB 2140 titled the MS Prior Authorization Reform Act has already been adopted into state law with an effective date of July 1, 2024. The Department of Insurance will be responsible for oversight of this act. One of the primary mandates of this bill is to require health plans to set up a standardized electronic prior authorization portal by January 1, 2025 and to establish standard turnaround times for PA processing for urgent and nonurgent request. More to come on this in a future newsletter.

If you have any questions or would like to discuss a particular bill, please do not hesitate to contact our office at 601-899-8880 and ask for Susan McCoy or Todd Dear.



ALL THINGS LICENSING



RENEWALS

We have closed out the March 31, 2024, Pharmacy Technician renewals.

The Durable Medical Equipment Suppliers (DME) Renewals period opened on April 1, 2024. DME Renewal reminder notices are sent to the permit holders and/or submitters via email. **Renewals completed after June 30, 2024, will be assessed a late fee.** If you do not wish to renew and/or need to close the facility permit, please log into the Gateway and submit a "Close Facility" application request at no charge. You will be required to upload supporting documentation regarding the closure request for staff approval.

Our Licensing Division is readily available to assist with any renewal questions and/or Gateway issues. Do not hesitate to contact us.

DBA NAMES

DON'T FORGET

When completing renewal or amendment applications, **leave the DBA name field blank if your facility does not have a DBA name or DBA name change.** In addition, please do not re-enter the facility's legal name as the DBA name.

TECH BITE

All Pharmacy Technicians are required to maintain updated employment information/status via his/her gateway. If you have not reported your employment, log in today and provide this information.

Any changes to your profile may be made by logging into the Gateway and submitting the desired change request at any time. For name changes, the system will allow you to make the request then you will need to upload the required documentation for staff approval. All employment and address changes can also be made via the Gateway. For assistance with the online system, contact our Licensing Division at (601) 899-8880.

If you have not already done so, please create a profile with NABP at www.nabp.pharmacy. This account is FREE and will assign you a NABP e-Profile number, which you will need to report to our office by telephone or email (licensing@mbp.ms.gov).

ALL THINGS LICENSING



PHARMACIST FILL UP

Reminder: Updated wallet cards are available by logging into your Gateway profile, download the card, and print if desired. Any request for duplicate wall certificates may be made by logging into your Gateway profile and submitting a duplicate certificate application request. There is a \$25.00 processing fee.

Your profile may be updated at any time. For name changes, the system will allow you to make the request then you will need to upload the required documentation for staff approval. All employment and address changes can also be made via the Gateway. For assistance with the online system, contact our Licensing Division at (601) 899-8880.

FACILITY HIGHLIGHT

Any changes to your permit (i.e., PIC/DR changes, address changes, business name changes, and/or ownership changes) may be made by logging into the Gateway and submitting the desired change application at any time. Supporting documentation uploaded may be required for staff approval. For DR changes, make sure to mail your fingerprint card to the Board office address indicated on the instruction sheet as soon as possible. Failure to do so may result in the expiration of your application. For assistance with the online system, contact our Licensing Division at (601) 899-8880.

PIC changes must be completed within 15 days to prevent any interruption in operation. Make sure that there are two emails listed on the record (one for the PIC and one for an admin, in the event that the PIC vacates his/her position).

This will ensure all notices regarding the PIC change application process will be received by the facility.

*If the PIC has not renewed his/her pharmacist license, the system will NOT allow the renewal of their facility's permit.

MAKE SURE EACH USER HAS HIS/HER OWN PROFILE, USERNAME, AND PASSWORD. PROFILES/PASSWORDS SHOULD NOT BE SHARED. THE LICENSING DIVISION STAFF WILL NOT GIVE ACCESS TO A PROFILE TO ANYONE EXCEPT THE PROFILE OWNER.

NOTE: In cases where there is a DR change, a new profile must be created for the new incoming DR. The previous DR's profile cannot be edited to change the name to reflect the incoming DR's.

Student Sidebar Chatter

Any changes to your profile may be made by logging into the Gateway and submitting the desired change request at any time. For name changes, the system will allow you to make the request then you will need to upload the required documentation for staff approval. All employment and address changes can also be made via the Gateway. For assistance with the online system, contact our Licensing Division at (601) 899-8880.

In the past, pharmacy school students'-controlled substances registrations expiration date was set for six (6) months from the graduation date. This has changed to one (1) year following the graduate's graduation date. **Make sure to review your student registration expiration date, this date should be one (1) year from your anticipated graduation date.** If this date does not correlate with this guideline, please contact our licensing division for correction.

If you have not already done so, please create a profile with NABP at www.nabp.pharmacy. This account is FREE and will assign you a NABP e-Profile number, which you will need to report to our office by telephone or email (licensing@mbp.ms.gov).

*Please notify the Board should you withdraw from pharmacy school. Student Intern/Extern registrations will become inactive upon withdrawal. Should you want to apply as a technician, you will be required to petition the Board for permission to do so.



COMPLIANCE CHECK



INVENTORY TIME!

Every facility permitted by the Mississippi Board of Pharmacy shall take an annual inventory of all controlled substances on hand on May 1 but no later than May 15. A facility may conduct the controlled substance inventory at another date so long as the annual inventory is conducted during the same period each year. This inventory shall be maintained with the other controlled substance records of the facility. Inventory records for schedule II controlled substances are filed separately from inventory records for schedule III-V controlled substances.

DRUG SUPPLY CHAIN SECURITY ACT (DSCSA) TIP

All companies shipping legend drugs to Mississippi pharmacies are required to be permitted in our state. This includes pharmacies sending medications to another pharmacy as part of an intercompany transfer of medications and any broker transactions. You can verify licensure by using the licensing verification search page. <https://gateway.mbp.ms.gov/Verification/search.aspx>

STAY TUNED FOR OUR LATEST EDUCATIONAL TOOL TO LAUNCH IN APRIL!

Coming soon we will release recorded sessions of our Compliance Division's Bullpen Report. The Bullpen report will fulfill the following objectives: 1.) Discuss important compliance topics, 2.) Share helpful tips and reminders, and 3.) Foster a better understanding of compliance. Each session will be granted CE approval and is available to any licensed pharmacist. If you have any suggestions for future Compliance Bullpen Report topics, please let us know. You can email your suggestions to Catina White, Director of Compliance at cwhite@mbp.ms.gov.

ARTICLE XXXI **COMPOUNDING GUIDELINES**

Please note that MS Board of Pharmacy [Article XXXI](#) still prohibits pharmacies, both 503A and 503B, from offering compounded product to practitioners or to other pharmacies for **resale or dispensing**. This does not prohibit hospitals or clinics from receiving product that will be administered onsite.



A yellow spotlight beam originates from the top left corner and illuminates a horizontal line that spans the width of the page. The beam is wider at the top and tapers to a small circle on the line. The line has small square markers at both ends.

Spotlight on Pharmacy Benefit Managers

Maximum Allowable Cost and MAC Appeals:

MS Statute 73-21-156 states that a PBM must provide a reasonable administrative appeal procedure for pharmacies to challenge a MAC list and reimbursements under a MAC list for specific drug if it is below the pharmacy acquisition cost or does not meet the requirements of 73-21-156. Pharmacies are encouraged to follow the MAC appeal process and notify the MS Board of Pharmacy of any instances where responses do not appear compliant to state statute.

MAC Appeals and Contract Rate:

MS Statute 73-21-156 defines MAC as a listing of drugs or other methodology used by a PBM to set the maximum allowable payment to a pharmacy or pharmacist for a generic, brand, biologic or other prescription drug. The statute gives many examples of items that may be included in price setting but states that MAC includes any term that a PBM or health care insurer may use to establish reimbursement rates. [Click here](#) to see the full definition.

Our office is aware of denied MAC appeal responses from plans that state:

“You were reimbursed at your contracted rate and not at MAC.”

This response does not seem to take into account 73-21-156’s provision that any term that is used to set reimbursement is considered MAC.

MAC Appeals and Rebates:

MS Statute 73-21-156 defines “pharmacy acquisition cost” as the amount that a pharmaceutical wholesaler charges for a pharmaceutical product as listed on the pharmacy’s billing invoice.

Our office understands that pharmacies are sometimes receiving MAC appeal responses that are requesting additional information beyond the billing invoice to include potential rebate information and agreements. These requests are not aligned with the outlined appeal process in [73-21-156 Section 4](#) that states the requirements for an appeal procedure for reimbursement being below the “pharmacy acquisition cost”.

MAC Appeals and Other Wholesaler:

MS Statute 73-21-156 allows a PBM to respond to submitted MAC appeals with the National Drug Code of the pharmaceutical wholesaler operating in MS where the drug may be currently obtained at the MAC price. However, this response is only valid if it is the wholesaler where the pharmacy obtains the majority of its prescription drugs. If a pharmacy receives information on a MAC appeal stating to obtain the product from a non-primary wholesaler, they are encouraged to inform the PBM that it is not the wholesaler where they obtain the majority of their prescription drugs.

PMP Update



The MSPMP serves as a tool for dispensers to assist in making an informed decision when providing pharmaceutical care for their patients. Any suspicion of diversion of any type should be reported to the appropriate authority. If you are unsure who to report any type of incident to, you can always contact the PMP directly.

Should an individual require a copy of their PMP report, they are required to contact the MS PMP directly and follow the appropriate steps. PMP users are not permitted to share PMP reports.

Please notify the MS PMP directly in the event your permit is set to inactive or closed. Also, please notify the MSPMP directly should your pharmacy have a change of DEA number. As a reminder, error corrections are required. Please refer to the Data Submission Guide should you need assistance. https://pmp.mbp.ms.gov/sites/default/files/pmp/forms-documents/MS-PMP-Data-Submission-Dispenser-Guide_v3.0.pdf

Reporting of controlled substances II-V and gabapentin is required every 24 hours, including zero reports. All controlled substances II-V are to be reported with a valid DEA number. Gabapentin may be reported with an NPI number should the provider not hold a DEA number. Should you need assistance with your reporting account for the MS PMP please contact **1-855-567-4767** and ask to speak to the clearinghouse.

If you have changed your employment, email, or any other information regarding your profile please do not create another account. This includes transitioning from a pharmacist's delegate PMP account to a pharmacist account. Simply send an email with the updated information. You may send these requests via email to mppassist@mbp.ms.gov.

Pharmacies that are eligible for a waiver of reporting to the MSPMP, paper versions are not accepted. PMP waivers are done online in the MS Board of Pharmacy's licensing gateway. Application and renewal for a waiver takes place with your pharmacy's permit.

Feel free to call or email with any questions mppassist@mbp.ms.gov, 601-899-0138 or visit our website at www.pmp.mbp.ms.gov.

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