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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- PHARMACIES

Introduced By: Representatives Tanzi, McGaw, Fogarty, Ajello, Kislak, Hull, Morales,
Potter, Bennett, and Cortvriend

Date Introduced: February 28, 2025

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 5-19.1 of the General Laws entitled "Pharmacies" is hereby amended
2 by adding thereto the following section:

3 **5-19.1-37. Tobacco cessation therapy prescriptive authority.**

4 (a) A pharmacist who is licensed pursuant to this chapter and who meets the requirements
5 of this section may prescribe and dispense FDA-approved tobacco cessation drug therapies to a
6 qualified patient pursuant to rules and regulations adopted by the board of pharmacy, subject to the
7 approval of the director of health in consultation with the director of behavioral healthcare,
8 developmental disabilities and hospitals.

9 (b) For the purposes of this section, "qualified patient" means a patient who:

10 (1) Is at least eighteen (18) years of age or of minimum age based on the most recent
11 guidance provided by the FDA;

12 (2) Is willing to participate in a structured tobacco cessation program consisting of an initial
13 evaluation and appropriate follow-up visits with the pharmacist prescribing tobacco cessation
14 products; and

15 (3) Has been educated on symptoms of nicotine toxicity, common and/or severe adverse
16 effects of prescribed medication(s), and when to seek medical treatment.

17 (c) Prior to prescribing tobacco cessation therapies, the pharmacist shall have completed
18 tobacco cessation education approved by the state board of pharmacy.

19 (d) The pharmacist shall refer or consult prior to prescribing regarding high-risk patients

1 or patients with an identified contraindication to FDA-approved tobacco cessation drug therapies
2 to the patient's primary care provider, as applicable, or to another provider, as appropriate.

3 (e) All pharmacists participating in prescribing therapy for tobacco cessation shall follow
4 the most updated guidelines and standards of care as approved by the board of pharmacy, subject
5 to the approval of the director of health in consultation with the director of behavioral healthcare,
6 developmental disabilities and hospitals.

7 (1) Pharmacists shall implement the most updated clinical practice guidelines to help
8 patients quit using all forms of tobacco.

9 (2) Pharmacists' services shall include an educational component to include counseling on
10 medication therapies and cessation strategies as well as referral to sources provided by the
11 department of health.

12 (f) Notification of the patient screening, the prescription record and the follow-up care plan
13 shall be provided to the patient's primary care provider, as applicable, within five (5) business days
14 following the prescribing of a tobacco cessation product.

15 (g) The definition of a qualified patient is subject to adaptation pursuant to rules and
16 regulations adopted by the board of pharmacy, subject to the approval of the director of health in
17 consultation with the director of behavioral healthcare, developmental disabilities and hospitals.

18 (h) Tobacco cessation drug therapies shall be covered by Medicaid upon approval of the
19 Medicaid section 1115 demonstration waiver to be submitted by the secretary of the executive
20 office of health and human services pursuant to chapter 12.4 of title 42.

21 SECTION 2. Chapter 27-18 of the General Laws entitled "Accident and Sickness Insurance
22 Policies" is hereby amended by adding thereto the following sections:

23 **27-18-95. Mandatory coverage for tobacco cessation drug therapies.**

24 Every group health insurance contract, or medical expense insurance policy, plan or group
25 policy delivered, issued for delivery, or renewed in this state, by any health insurance carrier, on or
26 after January 1, 2026, shall provide coverage for tobacco cessation drug therapy.

27 **27-18-96. Coverage for pharmacists' services.**

28 (a) Every group health insurance contract, or every group hospital or medical expense
29 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
30 any health insurance carrier, on or after January 1, 2026, shall provide coverage for the services
31 within the lawful scope of practice of pharmacists pursuant to § 5-19.1-2 if the plan would have
32 provided coverage if the service had been performed by a physician, advanced practice nurse, or
33 physician assistant. No nonprofit medical service corporation may require supervision, signature,
34 or referral by any other healthcare provider as a condition of reimbursement to a pharmacist;

1 provided that, no nonprofit medical service corporation may be required to pay for duplicative
2 services actually rendered by both a pharmacist and any other healthcare provider.

3 (b) The health plan shall include an adequate number of pharmacists in its network of
4 participating medical providers. The participation of pharmacies in the plan network's drug benefit
5 does not satisfy the requirement that plans include pharmacists in their networks of participating
6 medical providers.

7 (c) The healthcare benefits outlined in this section shall apply only to services delivered
8 within the health insurer's provider network; provided that, all health insurers shall be required to
9 provide coverage for those benefits mandated by this section outside of the health insurer's provider
10 network where it can be established that the required services are not available from a provider in
11 the health insurer's network.

12 SECTION 3. Chapter 27-19 of the General Laws entitled "Nonprofit Hospital Service
13 Corporations" is hereby amended by adding thereto the following sections:

14 **27-19-87. Mandatory coverage for tobacco cessation drug therapies.**

15 Every group health insurance contract, or medical expense insurance policy, plan or group
16 policy delivered, issued for delivery, or renewed in this state, by any health insurance carrier, on or
17 after January 1, 2026, shall provide coverage for tobacco cessation drug therapy.

18 **27-19-88. Coverage for pharmacists' services.**

19 (a) Every group health insurance contract, or every group hospital or medical expense
20 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
21 any health insurance carrier, on or after January 1, 2026, shall provide coverage for the services
22 within the lawful scope of practice of pharmacists pursuant to § 5-19.1-2 if the plan would have
23 provided coverage if the service had been performed by a physician, advanced practice nurse, or
24 physician assistant. No nonprofit medical service corporation may require supervision, signature,
25 or referral by any other healthcare provider as a condition of reimbursement to a pharmacist;
26 provided that, no nonprofit medical service corporation may be required to pay for duplicative
27 services actually rendered by both a pharmacist and any other healthcare provider.

28 (b) The health plan shall include an adequate number of pharmacists in its network of
29 participating medical providers. The participation of pharmacies in the plan network's drug benefit
30 does not satisfy the requirement that plans include pharmacists in their networks of participating
31 medical providers.

32 (c) The healthcare benefits outlined in this section shall apply only to services delivered
33 within the health insurer's provider network; provided that, all health insurers shall be required to
34 provide coverage for those benefits mandated by this section outside of the health insurer's provider

1 [network where it can be established that the required services are not available from a provider in](#)
2 [the health insurer's network.](#)

3 SECTION 4. Chapter 27-20 of the General Laws entitled "Nonprofit Medical Service
4 Corporations" is hereby amended by adding thereto the following sections:

5 **27-20-83. Mandatory coverage for tobacco cessation drug therapies.**

6 [Every group health insurance contract, or medical expense insurance policy, plan or group](#)
7 [policy delivered, issued for delivery, or renewed in this state, by any health insurance carrier, on or](#)
8 [after January 1, 2026, shall provide coverage for tobacco cessation drug therapy.](#)

9 **27-20-84. Coverage for pharmacists' services.**

10 [\(a\) Every group health insurance contract, or every group hospital or medical expense](#)
11 [insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by](#)
12 [any health insurance carrier, on or after January 1, 2026, shall provide coverage for the services](#)
13 [within the lawful scope of practice of pharmacists pursuant to § 5-19.1-2 if the plan would have](#)
14 [provided coverage if the service had been performed by a physician, advanced practice nurse, or](#)
15 [physician assistant. No nonprofit medical service corporation may require supervision, signature,](#)
16 [or referral by any other healthcare provider as a condition of reimbursement to a pharmacist;](#)
17 [provided that, no nonprofit medical service corporation may be required to pay for duplicative](#)
18 [services actually rendered by both a pharmacist and any other healthcare provider.](#)

19 [\(b\) The health plan shall include an adequate number of pharmacists in its network of](#)
20 [participating medical providers. The participation of pharmacies in the plan network's drug benefit](#)
21 [does not satisfy the requirement that plans include pharmacists in their networks of participating](#)
22 [medical providers.](#)

23 [\(c\) The healthcare benefits outlined in this section shall apply only to services delivered](#)
24 [within the health insurer's provider network; provided that, all health insurers shall be required to](#)
25 [provide coverage for those benefits mandated by this section outside of the health insurer's provider](#)
26 [network where it can be established that the required services are not available from a provider in](#)
27 [the health insurer's network.](#)

28 SECTION 5. Chapter 27-41 of the General Laws entitled "Health Maintenance
29 Organizations" is hereby amended by adding thereto the following sections:

30 **27-41-100. Mandatory coverage for tobacco cessation drug therapies.**

31 [Every group health insurance contract, or medical expense insurance policy, plan or group](#)
32 [policy delivered, issued for delivery, or renewed in this state, by any health insurance carrier, on or](#)
33 [after January 1, 2026, shall provide coverage for tobacco cessation drug therapy.](#)

34 **27-41-101. Coverage for pharmacists' services.**

1 (a) Every group health insurance contract, or every group hospital or medical expense
2 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
3 any health insurance carrier, on or after January 1, 2026, shall provide coverage for the services
4 within the lawful scope of practice of pharmacists pursuant to § 5-19.1-2 if the plan would have
5 provided coverage if the service had been performed by a physician, advanced practice nurse, or
6 physician assistant. No nonprofit medical service corporation may require supervision, signature,
7 or referral by any other healthcare provider as a condition of reimbursement to a pharmacist;
8 provided that, no nonprofit medical service corporation may be required to pay for duplicative
9 services actually rendered by both a pharmacist and any other healthcare provider.

10 (b) The health plan shall include an adequate number of pharmacists in its network of
11 participating medical providers. The participation of pharmacies in the plan network's drug benefit
12 does not satisfy the requirement that plans include pharmacists in their networks of participating
13 medical providers.

14 (c) The healthcare benefits outlined in this section shall apply only to services delivered
15 within the health insurer's provider network; provided that, all health insurers shall be required to
16 provide coverage for those benefits mandated by this section outside of the health insurer's provider
17 network where it can be established that the required services are not available from a provider in
18 the health insurer's network.

19 SECTION 6. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would add new sections which set forth conditions for pharmacists to prescribe
2 tobacco cessation drug therapies, including education approved by the state board of pharmacy.
3 The cessation therapies would be covered by all health insurance carriers on or after January 1,
4 2026.

5 This act would take effect upon passage.

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