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[submitted electronically via: gshippey@doi.nv.gov]

Glenn Shippey
Chief Insurance Examiner
Nevada Department of Business and Industry
Division of Insurance
1818 E. College Pkwy., Suite 103
Carson City, NV 89706

Dear Mr. Shippey:

The Nevada Pharmacy Alliance (NPA) and the American Pharmacists Association (APhA) appreciate the opportunity to submit comments on the Nevada Division of Insurance's (NVDOI) plans to update Nevada's essential health benefits (EHB) benchmark plan. We are supportive of the proposed changes to Nevada's EHB benchmark plan, however, we urge you to also include appropriate corresponding amendments to ensure pharmacist-provided preventative care services are a required benefit for Nevada patients.

As required by USC §300gg-13(a)(1), "evidence-based items or services that have in effect a rating of "A" or "B" in the current recommendations of the United States Preventive Services Task Force"¹ (USPTSF) are required to be covered by health plans with no cost-sharing requirements for patients. Additionally, women's preventative care and screenings, including contraception, as provided for in Health Resources and Services Administration guidelines², are required to be covered by health plans with no cost-sharing requirements for patients. In August 2023, USPSTF finalized its recommendations on the prevention of the acquisition of HIV through pre-exposure prophylaxis (PrEP). Their Grade A recommendation states, "that clinicians prescribe preexposure prophylaxis using effective antiretroviral therapy to persons who are at increased risk of HIV acquisition to decrease the risk of acquiring HIV."³

During the 81st Legislative Session in 2021, Nevada passed Senate Bill (SB) 190⁴ and SB 325⁵ into law. These bills expanded pharmacists' scope of practice to allow them to prescribe and dispense medications for hormonal contraception and HIV pre- and post-exposure prophylaxis per protocols drafted by the Nevada State Board of Pharmacy. Despite substantial published literature, clearly documenting the proven and

¹ [https://uscode.house.gov/view.xhtml?req=\(title:42%20section:300gg-13%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:42%20section:300gg-13%20edition:prelim))

² <https://www.hrsa.gov/womens-guidelines>

³ <https://www.uspreventiveservicestaskforce.org/uspstf/recommendation/prevention-of-human-immunodeficiency-virus-hiv-infection-pre-exposure-prophylaxis>

⁴ <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7622/Overview>

⁵ <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7959/Overview>

significant improvement to patient outcomes⁶ and reduction in health care expenditures⁷ when pharmacists are optimally leveraged as the medication experts on patient-care teams, there have been historical gaps in health plans recognizing pharmacists as a provider type and reimbursing their services under the medical benefit. There is not currently a widespread ability for pharmacists to enroll as a provider type with Nevada's EHB plans to provide preventative care services to patients.

Given the requirements dictated in USC §300gg-13, and that pharmacists can provide preventative care services per their scope of practice in Nevada, we urge you to also include appropriate corresponding amendments to ensure pharmacist-provided preventative care services are a required benefit for patients.

Thank you for your consideration of these comments. If you have any questions or require additional information, please don't hesitate to contact Ken Kunke, PharmD, NPA Executive Secretary by email at info@nevadapharmacyalliance.com, and E. Michael Murphy, PharmD, MBA, APhA Advisor for State Government Affairs by email at mmurphy@aphanet.org.

Sincerely,

Ken Kunke, PharmD
Executive Secretary
Nevada Pharmacy Alliance

Michael Baxter
Vice President, Federal and State Government Affairs
American Pharmacists Association

About NPA: NPA was created to address the need in Nevada to have an association that focused on the greater good of the pharmacy profession. To make sure that pharmacy professionals are supported so that they are able to take care of their patients. NPA is committed to connecting, educating, and advocating for the profession of pharmacy to optimize patient care and public health.

About APhA: APhA is the largest association of pharmacists in the United States advancing the entire pharmacy profession. APhA represents pharmacists in all practice settings, including community pharmacies, hospitals, long-term care facilities, specialty pharmacies, community health centers, physician offices, ambulatory clinics, managed care organizations, hospice settings, and government facilities. Our members strive to improve medication use, advance patient care and enhance public health. In Nevada, with 2,510 licensed pharmacists and 4,450 pharmacy technicians, APhA represents the pharmacists and students that practice in numerous settings and provide care to many of your constituents. As the voice of pharmacy, APhA leads the profession and equips members for their role as the medication expert in team-based, patient-centered care. APhA inspires, innovates, and creates opportunities for members and pharmacists worldwide to optimize medication use and health for all.

⁶ Giberson S, Yoder S, Lee MP. Improving Patient and Health System Outcomes through Advanced Pharmacy Practice. A Report to the U.S. Surgeon General. Office of the Chief Pharmacist. U.S. Public Health Service. Dec 2011. Available at: https://www.accp.com/docs/positions/misc/improving_patient_and_health_system_outcomes.pdf

⁷ Murphy EM, Rodis, JR, Mann HJ. Three ways to advocate for the economic value of the pharmacist in health care. Journal of the American Pharmacists Association. August 2020. Available at: <https://www.sciencedirect.com/science/article/abs/pii/S1544319120303927>