



**NEVADA**  
PHARMACY ALLIANCE



**APhA**

**American Pharmacists Association**

*For Every Pharmacist. For All of Pharmacy.*

October 31, 2023

[submitted electronically via: [documentcontrol@dhcfp.nv.gov](mailto:documentcontrol@dhcfp.nv.gov)]

Stacie Weeks JD, MPH  
Administrator  
Nevada Department of Health and Human Services  
Division of Health Care Financing and Policy  
1100 E. William Street  
First Floor Conference Room  
Carson City, Nevada 89701

Dear Administrator Weeks:

The Nevada Pharmacy Alliance (NPA) and the American Pharmacists Association (APhA) appreciate the opportunity to submit comments on agenda item 6.B. "Payments for Advanced Practice Registered Nurses and Certified Nurse Midwives in Parity with Physicians". We are supportive of the proposed changes to the Nevada state plan, however we urge you to also make appropriate corresponding amendments to the licensed pharmacists' provisions at Attachment 4.19-B Page 1e, in conformance with Nevada Revised Statutes (NRS) 422.27235.

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.

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. APhA's members are pharmacists, student pharmacists, and pharmacy technicians that 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.

NRS 422.27235 requires reimbursement by the state Medicaid program of certain services provided by a pharmacist "at a rate equal to the rate of reimbursement provided to a physician, physician assistant or advanced practice registered nurse for similar services." Currently, according to Attachment 4.19-B Page 1e<sup>1</sup> of the Nevada Medicaid State Plan, pharmacists are reimbursed at 63% "of the Medicare non-facility rate" for "Evaluation and Management Codes 99201 – 99499". As a result of the proposed changes for

---

<sup>1</sup> <https://dhcfp.nv.gov/uploadedFiles/dhcfpnhgov/content/Resources/AdminSupport/Manuals/MSP/Sec4/5-4.19AttachBPayforMedCare.pdf>

Advanced Practice Registered Nurse on Attachment 4.19-B Page 1d<sup>2</sup> and in order to comply with NRS 422.27235, we recommend the following amendments to Attachment 4.19-B Page 1e:

*h. Licensed Pharmacist*

~~Effective for dates of service on or after July 1, 2022, payment for 1905(a)(6) services billed by a Licensed Pharmacist will be calculated using the January 1, 2014 unit values for Nevada specific resource based relative value scale (RBRVS) and the 2014 Medicare Physicians Fee Schedule conversion factor or the first year the applicable code appears on the Medicare fee schedule, whichever is later. Payment will be the lower of billed charges, or the amount specified below:~~

*a. Evaluation and Management Codes 99201 – 99499 will be reimbursed at 6399.75% of the Medicare non-facility rate.*

*1. Laboratory codes 80000-89999 will be paid:*

*a. The lower of billed charges not to exceed 50% of the rate allowed by the 2014 Medicare Clinical Diagnostic Laboratory Fee Schedule for Nevada;*

*b. Allowed laboratory and pathology codes/services outside the Licensed Pharmacy 1905(a)(6) services described in State Plan Attachment 3.1-A or not listed in the Medicare Clinical Diagnostic Laboratory Fee Schedule for Nevada will be paid in accordance with other sections of this State Plan based on rendering provider type;*

*c. For “BR” (by report) and “RNE” (relativity not established) codes that fall within the Code Range 80000 - 89999, the payment will be set at 62% of billed charges.*

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](mailto:info@nevadapharmacyalliance.com), and E. Michael Murphy, PharmD, MBA, APhA Advisor for State Government Affairs by email at [mmurphy@aphanet.org](mailto:mmurphy@aphanet.org).

Sincerely,

**Ken Kunke, PharmD**  
Executive Secretary  
Nevada Pharmacy Alliance

**Ilisa BG Bernstein, PharmD, JD, FAPhA**  
Senior Vice President, Pharmacy Practice  
American Pharmacists Association

---

<sup>2</sup>[https://dhcftp.nv.gov/uploadedFiles/dhcfpnv.gov/content/Public/AdminSupport/MeetingArchive/PublicHearings/2023/SPA\\_PH\\_10-31-23\\_Attach\\_4.19-B\\_Page\\_1d\\_cont\\_REDLINE\\_ADA.pdf](https://dhcftp.nv.gov/uploadedFiles/dhcfpnv.gov/content/Public/AdminSupport/MeetingArchive/PublicHearings/2023/SPA_PH_10-31-23_Attach_4.19-B_Page_1d_cont_REDLINE_ADA.pdf)