

White Bagging Update

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Overview

Issue	What is White Bagging?
2023 Legislative Sessions	Which States Have Considered White Bagging Legislation in 2023?
State by State Breakdown	Which States Protect Patients from White Bagging by Law, Rule, or Guidance?
FAQ (By Legislators)	Research, Studies, Cost Analyses, & Reports
Spotlight: Virginia	How Does Virginia Protect Patients from White Bagging?
Q&A	<u>What Should I Do if My Patient is White Bagged? And Other Questions...</u>



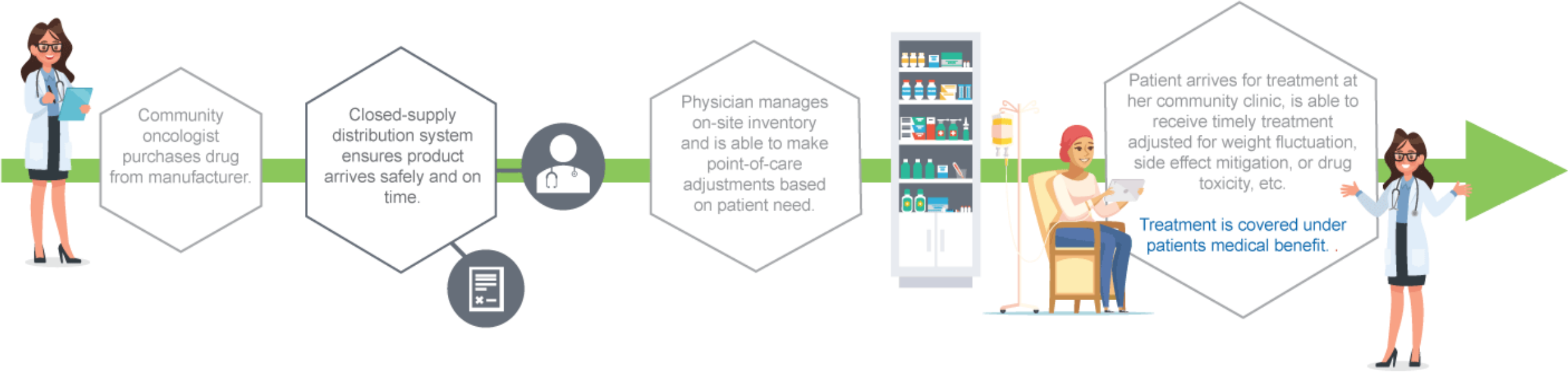
What is White Bagging?

White bagging is a form of pharmacy steering whereby PBMs require that patient-specific clinician-administered drugs (typically infusions) be distributed from a PBM designated specialty pharmacy to a physician's office, hospital, or clinic for administration as a condition of health plan coverage.



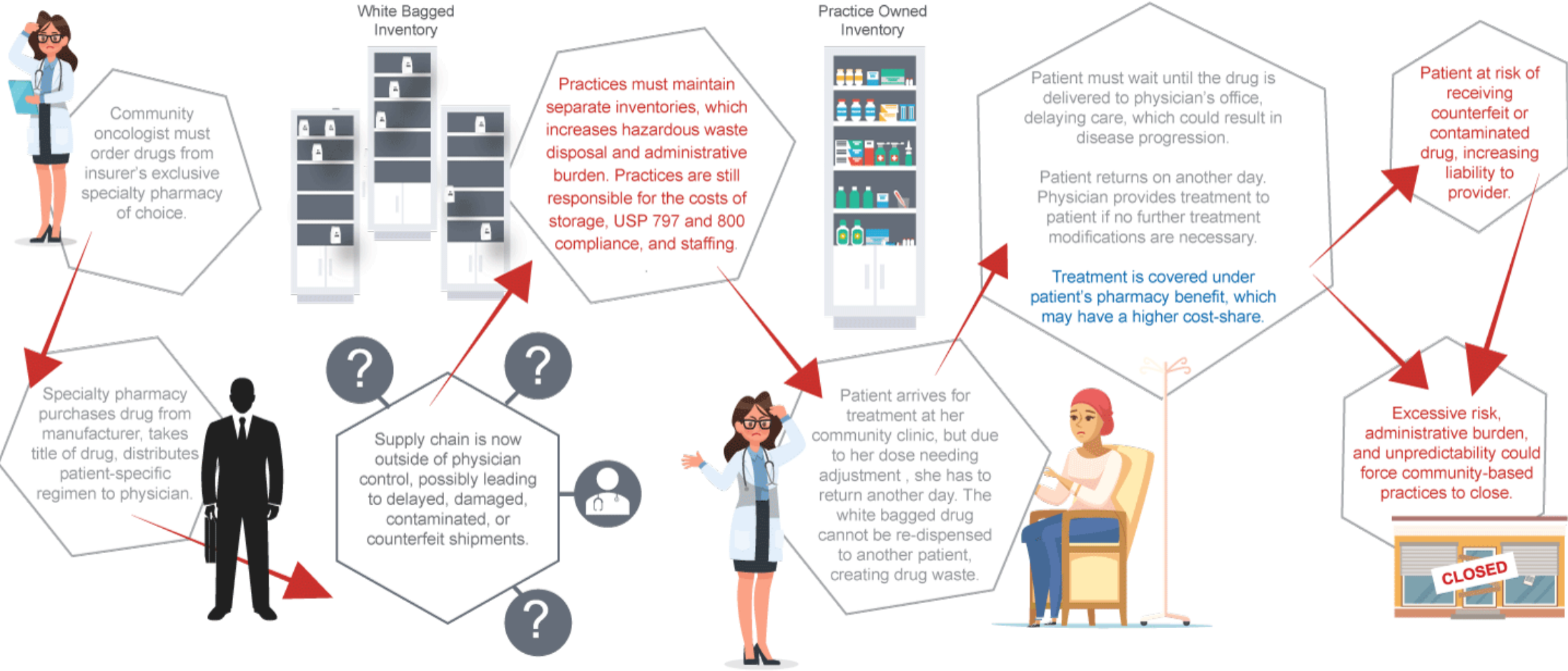
Patient Access Under the Current Status Quo

PATIENT ACCESS TODAY



Disruption to Patient Access Under White Bagging

DISRUPTION TO PATIENT ACCESS UNDER WHITE BAGGING



State by State Breakdown



States That Considered White Bagging Legislation in 2023

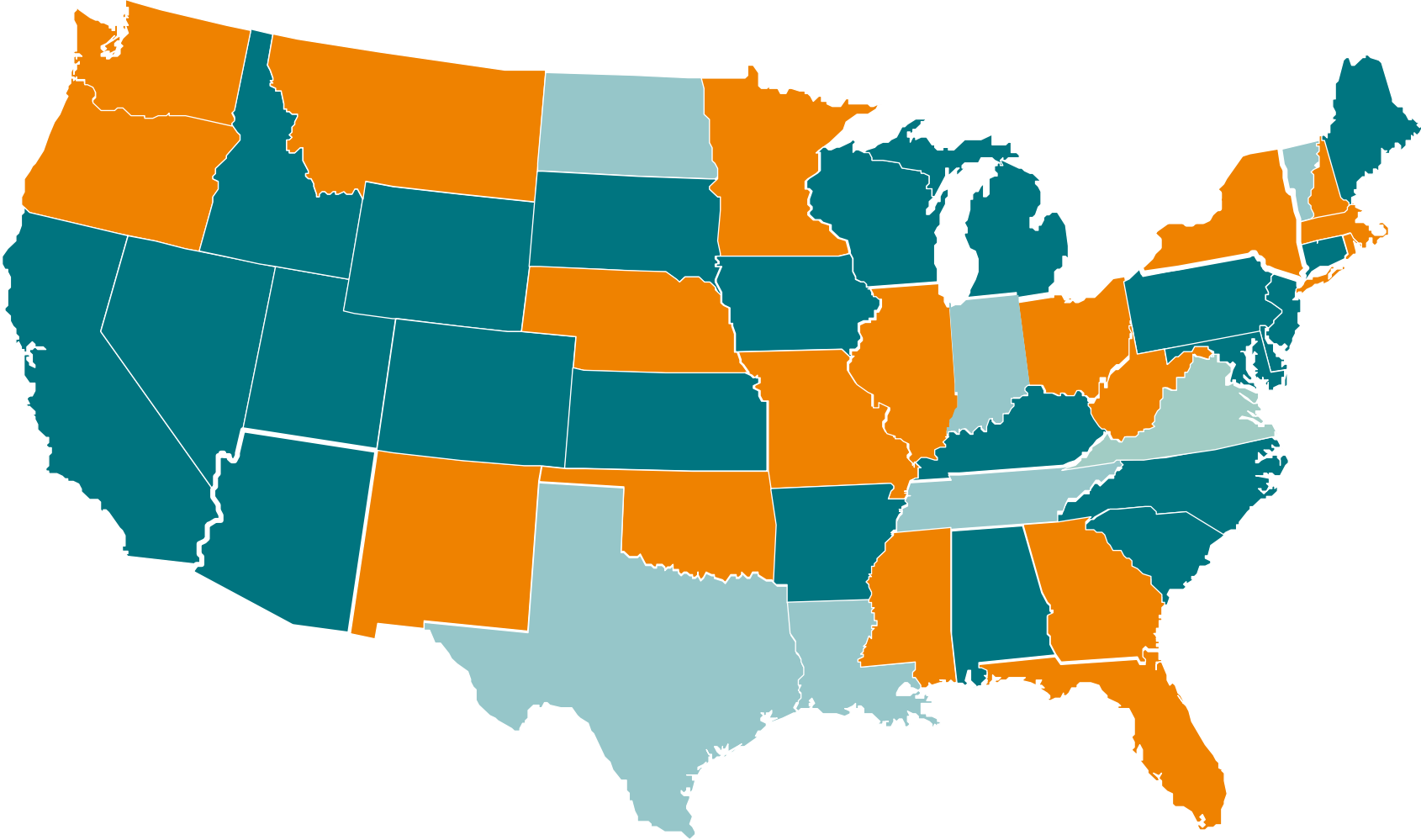
States with Bills
in 2023



Enacted Laws



States Currently
Without Bills



States Regulating White Bagging by Departmental or Board Rule

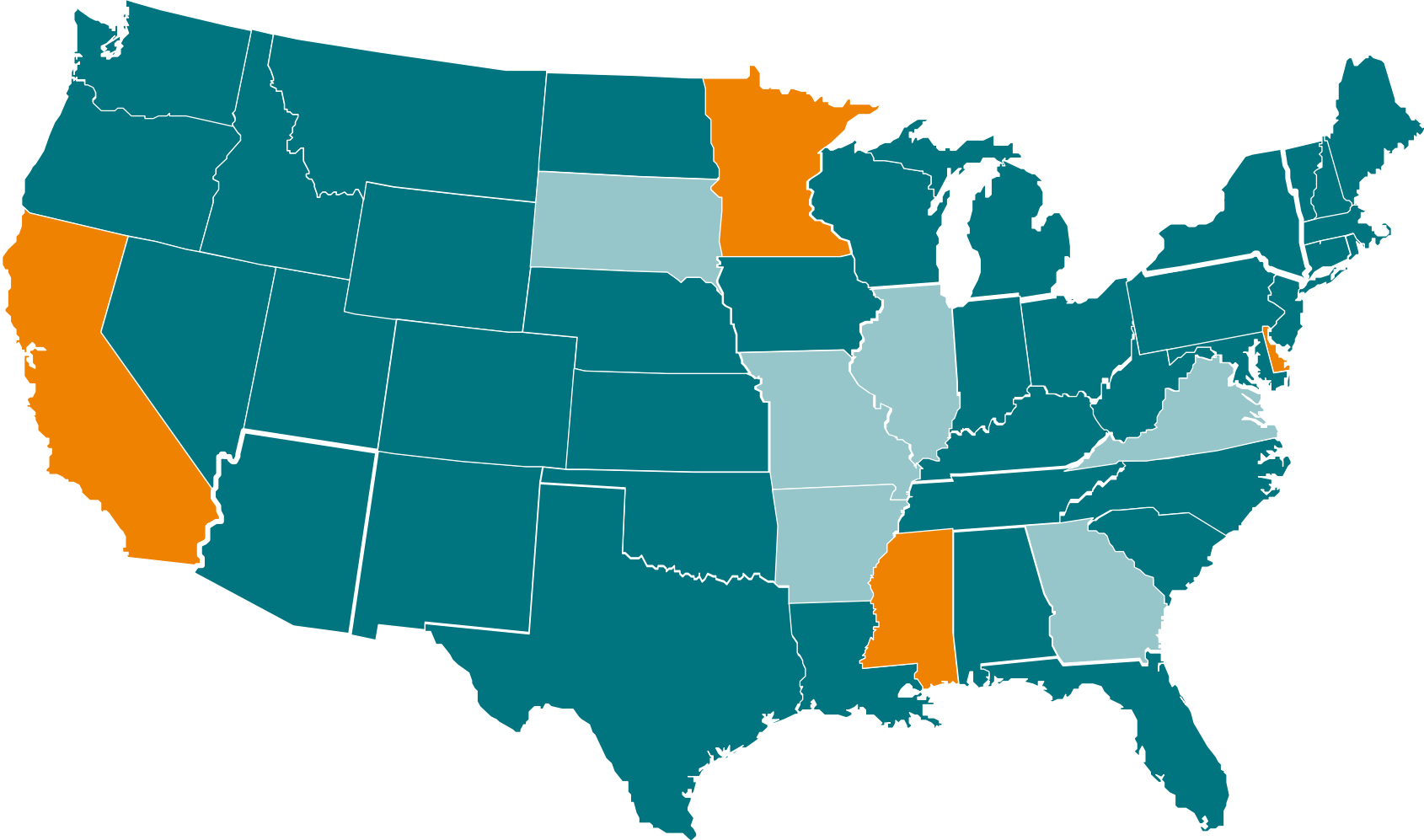
Regulations in Process



Rules in Place



States without Regulations

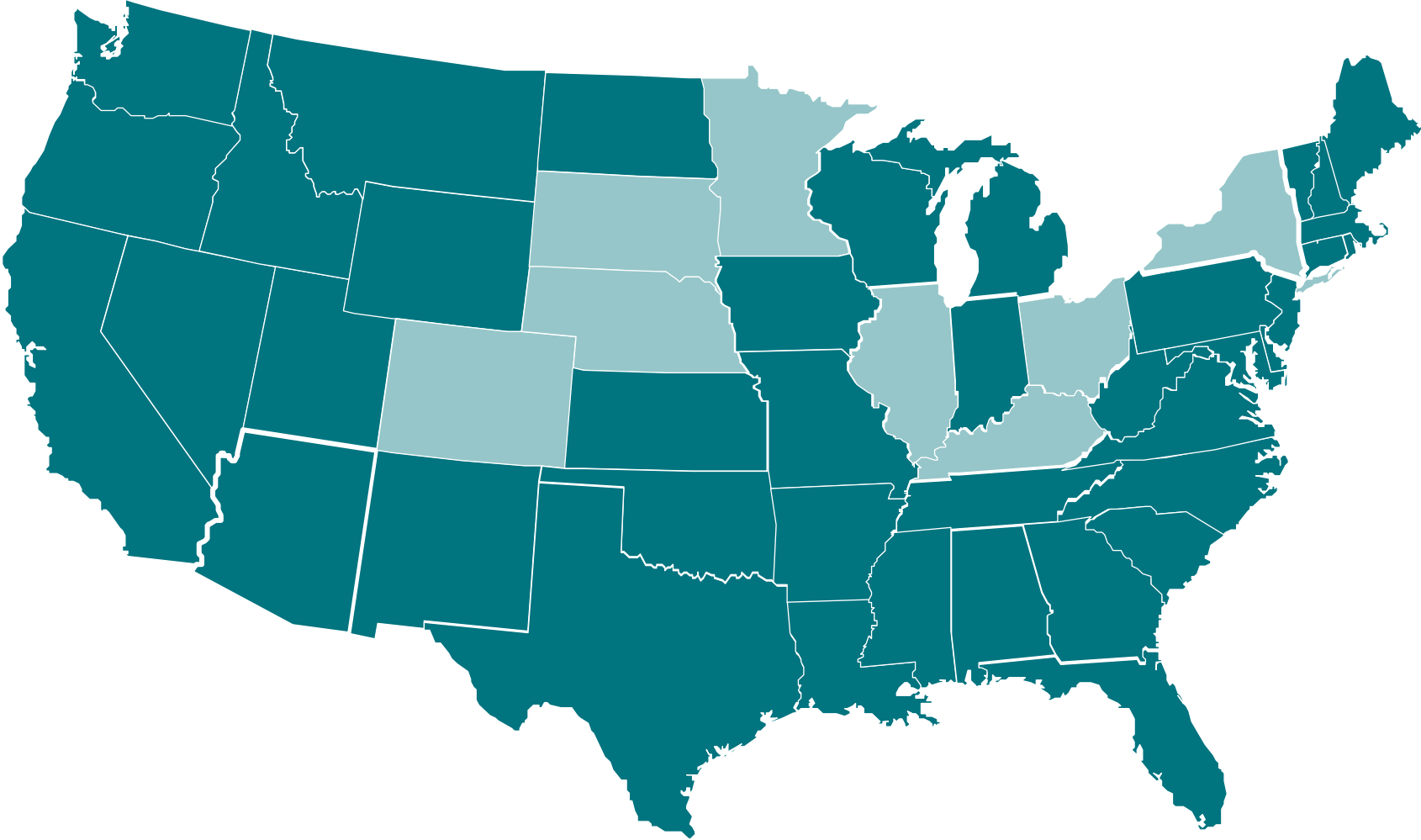


States Banning White Bagging Through Medicaid Guidance

Banned in Medicaid



Not Mentioned
In Medicaid



Legislator FAQ: Existing Reports & Studies

Have Other States Published Reports on White Bagging?

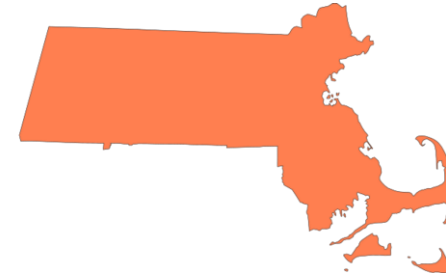
Are There Any External Studies That Analyze White Bagging?

State Reports on White Bagging



Indiana (2021)

- At the direction of the Legislature, the IN DOH developed a report on white bagging.
- The report recommended banning instituting best practices around white bagging.
- Best practices prohibit white bagging compounded drugs.



Massachusetts (2019)

- At the direction of the Legislature, the MA Health Commission developed a report on white bagging.
- The report recommended banning instituting best practices around white bagging.
- Best practices prohibit white bagging compounded drugs



External Resources on White Bagging

Insurer/ PBM Studies

- AHIP: [“Hospital Price Hikes: Markups for Drugs Cost Patients Thousands of Dollars”](#)
- AJMC: [Why White Bagging is a Symptom of High Drug Costs and What States are Doing](#)
- Magellan Rx Management: [Medical Pharmacy Trend Reports](#)
- PCMA: [Assumptions and Methodology for National White Bagging Savings Estimates](#)

Provider Group Resources

- ACCC: [The Future of White Bagging and Brown Bagging in Oncology Pharmacy](#)
- AHA: [Commercial-Health-Plans-Policies-Compromise-Patient-Safety-White-Paper.pdf \(aha.org\)](#)
- ASHP: [Advocacy Resources on White Bagging: News, Policy, and Model Legislation](#)
- COA: [White Bagging and Brown Bagging Position Statement](#)
- NABP: [White and Brown Bagging Emerging Practices, Emerging Regulation](#)

Independent Articles and Reports

- Avalere: [White Bagging Gains Popularity in State Legislatures](#)
- DrugChannels.Net:
 - [White Bagging Update 2021: PBMs’ Specialty Pharmacies Keep Gaining on Buy-and-Bill Oncology Channels](#)
 - [White Bagging Update 2022: Hospitals Battle to Boost Buy-and-Bill](#)
- Marwood Group: [Pharmacy White Bagging: Growth and Countermeasures](#)
- Milliman: [Commercial Specialty Medication Research: 2019 Benchmark Projections](#)
- Vizient: [Survey on Patient Care Impact and Additional Expense of White Bagging/Brown Bagging](#)

Journal Articles on White Bagging

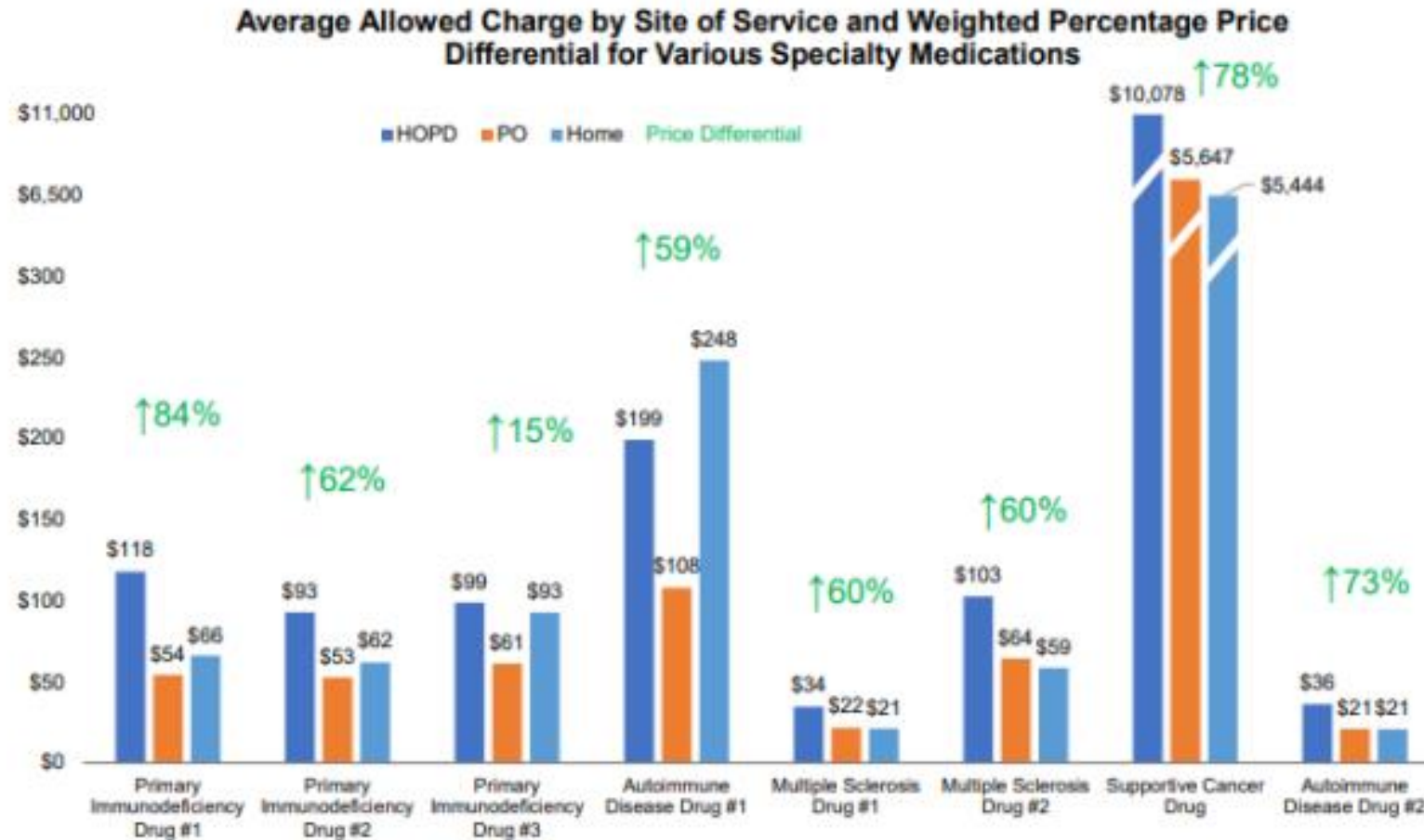
- Employee Benefit Research Institute: [Location, Location, Location: Cost Differences in Health Care Services by Site of Treatment — A Closer Look at Lab, Imaging, and Specialty Medications](#)
- Journal of the AMA: [Hospital-Administered Cancer Therapy Prices for Patients with Private Health Insurance](#)



Legislator FAQ: Cost Analysis

Does White Bagging Save Money
to the Healthcare System Overall?

Indiana Department of Health: 2021 Report on Specialty Drugs and White Bagging



Notes: HOPD=hospital outpatient departments; PO=physician offices.
Source: Authors' analysis of IBM MarketScan administrative enrollment and claims data.



Patient Stories

OH Vasculitis Patient:

- 4+ Months Delayed Initial Dose
- Patient Outcomes Stalled
- Patient Lost Her Job When Short Term Disability Lapsed

OH Stage IV Lung Cancer Patient:

- Patient Delayed 2-3 Weeks For First Infusion
- Patient Failed First Line Treatment

DE Non-Hodgkins Lymphoma Patient:

- Patient Delayed 4 Weeks for 1 Drug in Combination Therapy
- Mail Order Neulasta Never Arrived
- Patient Passed Away From Infection



Legislator FAQ: Patient Impact

Is There Proof That White Bagging
Has Caused Harm to Patients?

Spotlight: Virginia

White Bagging in the Virginia Local News

Specialty drugs are sparking the latest battle between Virginia hospitals and health insurers

BY: KATE MASTERS - MAY 21, 2021 12:03 AM



Existing Board of Pharmacy Rules on Pharmacy to Pharmacy Delivery of Dispensed Drugs

18VAC110-20-275. Delivery of dispensed prescriptions.

Subsections B.1 & C.1:

“B. Delivery to another pharmacy.

1. One pharmacy may fill prescriptions and deliver the prescriptions to a second pharmacy for patient pickup or direct delivery to the patient provided the two pharmacies have the same owner, or **have a written contract or agreement specifying the services** to be provided by each pharmacy, the responsibilities of each pharmacy, and the manner in which each pharmacy will comply with all applicable federal and state law.”

“C. Delivery to a practitioner of the healing arts licensed by the board to practice pharmacy or to sell controlled substances or other authorized person or entity holding a controlled substances registration authorized for this purpose.

1. A prescription may be delivered by a pharmacy to the office of such a practitioner or other authorized person provided there is **a written contract or agreement between the two parties describing the procedures for such a delivery system and the responsibilities of each party.**”



2021 Board of Pharmacy Final Rule: Brown Bagging Ban

18VAC110-20-275. Delivery of dispensed prescriptions.

Subsection G:

“A pharmacy shall not deliver dispensed drugs to a patient's residence that are intended to be subsequently transported by the patient or patient's agent to a hospital, medical clinic, prescriber's office, or pharmacy for administration and that require special storage, reconstitution or compounding prior to administration. An exception to this requirement may be made for patients with inherited bleeding disorders who may require therapy to prevent or treat bleeding episodes.”



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2021 Board of Pharmacy Final Rule Additions: White Bagging Guardrails?

18VAC110-20-275. Delivery of dispensed prescriptions.

“F. The pharmacy and **alternate delivery site shall be exempt from compliance** with subsections B through E of this section if (i) the alternate delivery site is a pharmacy, a practitioner of healing arts licensed by the board to practice pharmacy or sell controlled substances, or other entity holding a controlled substances registration for the purpose of delivering controlled substances; (ii) **the alternate delivery site does not routinely receive deliveries from the pharmacy**; and (iii) compliance with subsections B through E of this section would create a delay in delivery that **may result in potential patient harm**.

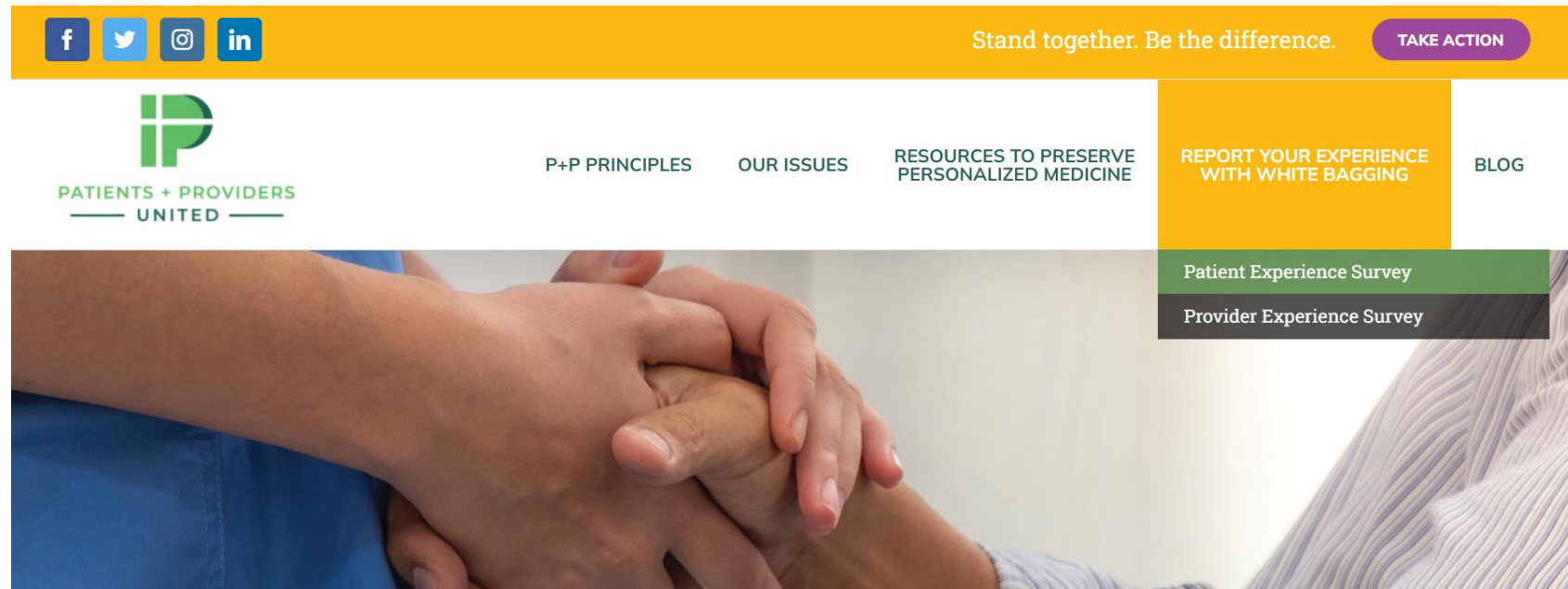
However, the pharmacy and alternate delivery site shall comply with following requirements:

1. To ensure appropriate coordination of patient care, the pharmacy shall notify the alternate delivery site of the anticipated arrival date of the shipment, the exact address to where the drug was shipped, the name of the patient for whom the drug was dispensed, and any special storage requirements.
2. The pharmacy shall provide counseling or ensure a process is in place for the patient to receive counseling.
3. Prescriptions delivered to the alternate delivery site shall be stored in a lockable room or lockable cabinet, cart, or other device that cannot be easily moved and that shall be locked at all times when not in use. Access shall be restricted to the licensed prescriber, pharmacist, or either person's designee.
4. The pharmacy shall provide a procedure for the return of any prescription drugs not delivered or subsequently administered to the patient.



What Should I Do If My Patient Has A White Bagging Policy?

Patients & Providers United: White Bagging Patient Experience Survey



White Bagging Patient Experience Survey

<https://patientsandprovidersunited.org/patient-survey/>



Questions?