

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 1542, Page 2, Section 376.387, Line 28,
2 by inserting after all of said line the following:

3
4 "6. If any person believes that a pharmacy benefits manager has committed a violation of
5 subsection 2 through 5 of this section, they may mail written notice to the pharmacy benefits
6 manager describing the alleged violation and allow the pharmacy benefits manager ten business
7 days from the date the notice was postmarked to remedy such alleged violation. If such alleged
8 violation is not so remedied, then such person may request the department of insurance, financial
9 institutions and professional registration, to conduct an arbitration proceeding in a manner
10 prescribed by such division, provided that the division shall issue a ruling within seventy days of
11 receiving the request. The division may join similar claims and claims presenting a common issue of
12 fact. The department may establish a reasonable fee, which shall be paid by the non-prevailing
13 party. The division's ruling shall be final and binding on all parties unless appealed as provided in
14 Chapter 536.

15 7. The department of insurance, financial institutions, and professional registration may
16 promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a
17 rule, as that term is defined in section 536.010 that is created under the authority delegated in this
18 section shall become effective only if it complies with and is subject to all of the provisions of
19 chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and
20 if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay
21 the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
22 grant of rulemaking authority and any rule proposed or adopted after August 28, 2018, shall be
23 invalid and void."; and

24
25 Further amend said bill by amending the title, enacting clause, and intersectional references
26 accordingly.

Action Taken _____ Date _____