

HB 1542 -- PHARMACY BENEFITS MANAGERS

SPONSOR: Morris

This bill prohibits a pharmacy benefits manager from charging a co-payment for a prescription or pharmacy service that exceeds the amount retained by the pharmacy from all payment sources for filling that prescription or providing that service.

A pharmacy benefits manager cannot prohibit a pharmacy from informing a person of the difference between his or her co-payment and the amount he or she would pay if a health benefit plan was not used to cover the cost. The pharmacy benefits manager also cannot prohibit a pharmacy from selling a prescription to a person who chooses not to use a health benefit plan to cover the cost, as long as the cost is less than the co-payment for the drug.

A pharmacy benefits manager cannot interfere with a pharmacist's ability to provide pharmacy care to a person.

A pharmacy benefits manager cannot charge a pharmacy for any fee that is related to a claim unless the amount of the fee has been disclosed at the time of the claim's adjudication.

A pharmacy benefits manager cannot prohibit a pharmacy from making a statement to an official in a committee or proceeding.

These provisions will be enforced by the Department of Insurance, Financial Institutions, and Professional Registration. A person may bring a civil action against a pharmacy benefits manager who violates the provisions of this section.