



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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February 24, 2020

Mr. Speaker,

The Health and Human Services Committee recommends **H.B. 272**, PHARMACY BENEFIT AMENDMENTS, by Representative P. Ray, be replaced and reports a favorable recommendation on **1st Sub. H.B. 272**, PHARMACY BENEFIT AMENDMENTS with the following amendments:

1. *Page 2, Lines 30 through 31:*

30{—————→ requires an insurer to notify pharmacies that they are eligible to
participate in the
31 insurer's health benefit plan on certain conditions; }

2. *Page 11, Line 329 through Page 12, Line 347:*

329 { ~~(3) An insurer that offers a health benefit plan shall provide to each~~
~~pharmacy within~~
330 ~~the geographic area covered by the health benefit plan the notice described by~~
~~Subsection (4).~~
331 ~~— (4) (a) The notice required in Subsection (3) shall:~~
332 ~~— (i) be provided no later than 60 days before the day on which coverage for the~~
333 ~~geographic area takes effect; and~~
334 ~~— (ii) inform each pharmacy that the pharmacy may be included in the health~~
~~benefit~~
335 ~~plan's provider network if, within 60 days, the pharmacy enters into a contract to~~
~~abide by the~~
~~336 terms and conditions of the health benefit plan.~~
337 ~~— (b) If the geographic area covered by a health benefit plan is expanded, the~~
~~notice~~
338 ~~required under Subsection (3) applies only to pharmacies within the expanded~~
~~coverage area.~~

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- 339 ~~—(5)—~~ (3) A health benefit plan's terms and conditions for coverage of
pharmacy products and
340 services, including enrollee cost sharing, provider reimbursement, and dispensing
quantities ~~{—}~~
341 ~~—(a)—~~ shall apply:
342 ~~{(i)}~~ (a) uniformly across all enrollees within:
343 ~~{(A)}~~ (i) a benefit category;
344 ~~{(B)}~~ (ii) a copayment level; or
345 ~~{(C)}~~ (iii) any other enrollee classification established by the health
benefit plan; and
346 ~~{(ii)}~~ (b) uniformly across all pharmacies in the health benefit plan's
provider network.
347 ~~{(6)}~~ (4) A pharmacy benefit manager may not enter into or renew a
contract with a

3. Page 12, Line 354:

- 354 ~~{(7)}~~ (5) (a) An insurer may not promote the use of one pharmacy in a
health benefit plan's

4. Page 12, Line 357:

- 357 (b) Subsection ~~{(7)(a)}~~ (5)(b) does not apply to the Public Employees'
Benefit and Insurance

5. Page 12, Line 359:

- 359 ~~{(8)}~~ (6) An insurer that offers a health benefit plan may not require an
enrollee to use an

6. Page 12, Line 362:

- 362 ~~{(9)}~~ (7) An insurer may not prohibit a pharmacy in a health benefit
plan's provider network



7. Page 12, Line 365:

365 ~~{(10)}~~ (8) A pharmacy included in a health benefit plan's provider
network may not:

Respectfully,

Brad M. Daw
Chair

Voting: 12-1-0

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