

1st Sub. H.B. 272
PHARMACY BENEFIT AMENDMENTS

Representative **Paul Ray** proposes 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.}~~

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: