

2nd Sub. H.B. 425
HEALTH INSURANCE BENEFIT AMENDMENTS

Representative **Norman K Thurston** proposes the following amendments:

1. *Page 5, Lines 125 through 129:*

- 125 (i) "Standard rebate amount" means a rebate amount that:
126 (i) is estimated and set by a health benefit plan or the health benefit plan's pharmacy
127 benefit manager for a drug ~~{product}~~ or device ;
128 (ii) adjusts each quarter based on rebate underpayments or overpayments; and
129 (iii) is applied when the drug ~~{product}~~ or device is purchased.

2. *Page 5, Line 148:*

- 148 (ii) using the rebate to reduce premiums paid by ~~{the enrollee}~~ enrollees ;

3. *Page 6, Lines 162 through 163:*

- 162 (ii) use a standard rebate amount. =
(c) A health benefit plan or pharmacy benefit manager may reduce the value of a rebate passed through at the time a drug or device is purchased if the health benefit plan or pharmacy benefit manager:
(i) knows that the cost sharing requirement is being paid on behalf of the enrollee by another person unless the person paying:
(A) is a health benefit plan or pharmacy benefit manager providing a benefit; or
(B) would not directly or indirectly benefit from the enrollee purchasing the drug or device; and
(ii) is using a method described in Subsection (4)(a)(i) or (iv).
(d) Rebates reduced under Subsection (4)(c) shall be used to reduce premiums or otherwise benefit enrollees in the current or subsequent plan year.
163 (5) A health benefit plan may not prohibit or condition participation in one pharmacy

4. *Page 9, Lines 258 through 259:*

- 258 ~~utilization or effectiveness.]~~ means a discount or other price concession based on the utilization
259 ~~or effectiveness of a prescription drug~~ or device that is paid by a manufacturer or third party, directly or