



PBM Reform Legislation

Last Updated: September 29, 2023

Bills by Issue

Recently Updated Bills (0)

No bills to show.

PBM Reform (269)

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
AK	SB 121	S Cosponsor S Bjorkman 2023 04 05	In Senate	None	None	9.7% 59.1%

Title

"An Act relating to the Board of Pharmacy; relating to insurance; relating to pharmacies; relating to pharmacists; relating to pharmacy benefits managers; relating to patient choice of pharmacy; and providing for an effective date."

Primary Sponsors

Cathy Giessel

Introduction Date: 2023-03-31

- Labels: Any willing provider ERISA NADAC+ Patient steering Provider networks Reimbursement to PBM-owned pharmacies White baggings

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
AK	SB 124	S Referred To Labor Commerce 2023 04 05	In Senate	None	None	30.5% 58.9%

Title

"An Act relating to health care insurers; relating to pharmacy benefits managers; relating to prescription drug defined cost sharing; and providing for an effective date."

Primary Sponsors

David Wilson

Introduction Date: 2023-04-05

- Labels: Patient Protections Rebates

State	Bill Number	Last Action	Status	Position	Priority
AL	HB 367	Insurance Introduced And Referred 2023 04 20	Failed sine die	None	None

Title

Relating to pharmacists; to amend Section 27-45A-7, Code of Alabama 1975; to authorize a pharmacist to decline to fill a prescription if the pharmacist will be reimbursed for the drug in an amount that is less than the pharmacist's acquisition cost; and to prohibit a pharmacist from being restricted from discussing matters relating to a pharmacy claim with a patient.

Primary Sponsors

Phillip Rigsby

Introduction Date: 2023-04-20

- Labels: Protections from under-reimbursement

State	Bill Number	Last Action	Status	Position	Priority
AL	SB 220	Indefinitely Postpone 2023 05 31	Failed sine die	None	None

Title

Relating to pharmacists; to amend Section 27-45A-7, Code of Alabama 1975; to authorize a pharmacist to decline to fill a prescription if the pharmacist will be reimbursed for the drug in an amount that is less than the pharmacist's acquisition cost; and to prohibit a pharmacist from being restricted from discussing matters relating to a pharmacy claim with a patient.

Introduction Date: 2023-04-19**Labels:** [Protections from under-reimbursement](#)**Primary Sponsors**

Tom Butler

State	Bill Number	Last Action	Status	Position	Priority
AR	HB 1300	Died In House Committee At Sine Die Adjournment 2023 05 01	Failed	None	None

Title

HB1300 - TO AMEND THE PROHIBITION ON NONPROFIT, TAX EXEMPT, OR GOVERNMENTALLY-FUNDED HOSPITALS FROM HOLDING A LICENSED PHARMACY PERMIT FOR THE SALE AT RETAIL OF DRUGS.

Introduction Date: 2023-01-26**Labels:** [Patient steering](#) [Provider networks](#)
[Reimbursement to PBM-owned pharmacies](#)**Primary Sponsors**

Lee Johnson

State	Bill Number	Last Action	Status	Position	Priority
AR	HB 1481	Notification That Hb 1481 Is Now Act 333 2023 03 21	Enacted	None	None

Title

HB1481 - TO CREATE THE HEALTHCARE INSURER SHARE THE SAVINGS ACT; AND TO CREATE THE ARKANSAS PHARMACY BENEFITS MANAGER SHARE THE SAVINGS ACT.

Introduction Date: 2023-02-21**Labels:** [Patient Protections](#) [PSAOs](#) [Rebates](#)
[Transparency and Disclosure](#)**Primary Sponsors**

Brandon Achor, Justin Boyd

State	Bill Number	Last Action	Status	Position	Priority
AR	HB 1500	Died In House Committee At Sine Die Adjournment 2023 05 01	Failed	None	None

Title

HB1500 - TO MODIFY THE ARKANSAS PHARMACY BENEFITS MANAGER LICENSURE ACT.

Introduction Date: 2023-02-24**Labels:** [PBM enforcement](#) [PSAOs](#)
[Transparency and Disclosure](#)**Primary Sponsors**

Brandon Achor, Kim Hammer

State	Bill Number	Last Action	Status	Position	Priority
AR	SB 94	Notification That Sb 94 Is Now Act 302 2023 03 24	Enacted	None	None

Title
SB94 - TO MODIFY THE ARKANSAS PHARMACY BENEFITS
MANAGER LICENSURE ACT.

Introduction Date: 2023-01-23

Labels: PBM enforcement PSAOs Rebates

Primary Sponsors
Kim Hammer, Brandon Achor

State	Bill Number	Last Action	Status	Position	Priority
AR	SB 489	Sine Die Adjournment 2023 05 01	Failed sine die	None	None

Title
SB489 - TO AMEND THE LAW CONCERNING MAXIMUM
ALLOWABLE COST LISTS TO DEFINE A SIMILARLY SITUATED
PHARMACY, CLARIFY HOW A PHARMACY BENEFITS MANAGER
PROVIDED ITS MAXIMUM ALLOWABLE COST LIST, AND
ESTABLISH A PRIVATE RIGHT OF ACTION.

Introduction Date: 2023-03-27

Labels: Appeal procedure PBM enforcement

Primary Sponsors
Clarke Tucker, Brandon Achor

State	Bill Number	Last Action	Status	Position	Priority
AZ	SB 1382	Signed By Governor 2023 04 18	Enacted	None	None

Title
Pharmacy benefit managers; certificate requirements

Introduction Date: 2023-01-31

Labels: PBM enforcement Provider networks

Primary Sponsors
Janae Shamp

PSAOs Registration/Licensure

Title

Health care coverage: out-of-pocket expenses.

Introduction Date: 2023-02-14

Description

AB 874, as introduced, Weber. Health care coverage: out-of-pocket expenses. Existing law generally prohibits a person who manufactures a prescription drug from offering in California any discount, repayment, product voucher, or other reduction in an individual's out-of-pocket expenses associated with the individual's health insurance, health care service plan, or other health coverage, including, but not limited to, a copayment, coinsurance, or deductible, for any prescription drug if a lower cost generic drug is covered under the individual's health insurance, health care service plan, or other health coverage on a lower cost-sharing tier that is designated as therapeutically equivalent to the prescription drug manufactured by that person or if the active ingredients of the drug are contained in products regulated by the federal Food and Drug Administration, are available without prescription at a lower cost, and are not otherwise contraindicated for the condition for which the prescription drug is approved. Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care, and makes a willful violation of the act a crime. Existing law provides for the regulation of health insurers by the Department of Insurance. This bill would require a health care service plan, health insurance policy, other health coverage carrier, or pharmacy benefit manager that administers pharmacy benefits to apply any amounts paid by the enrollee, insured, or another source pursuant to a discount, repayment, product voucher, or other reduction to the enrollee's or insured's out-of-pocket expenses toward the enrollee's or insured's overall contribution to any out-of-pocket maximum, deductible, copayment, coinsurance, or applicable cost-sharing requirement under the enrollee's or insured's health care service plan, health insurance policy, or other health care coverage. The bill would make a willful violation of that requirement by a health care service plan a crime. The bill would limit the application of the section to health care service plans and health insurance policies issued, amended, delivered, or renewed on or after January 1, 2024. Because a willful violation of these requirements by a health care service plan would be a crime, this bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

Primary Sponsors

Akilah Weber

Title

Pharmacy benefit managers.

Introduction Date: 2023-02-14**Description**

AB 913, as amended, Petrie-Norris. Pharmacy benefit managers. Existing law, the Pharmacy Law, establishes the California State Board of Pharmacy within the Department of Consumer Affairs to license and regulate pharmacists. Existing law provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and for the regulation of health insurers by the Department of Insurance. Existing law, the Knox-Keene Health Care Service Plan Act of 1975, requires a pharmacy benefit manager under contract with a health care service plan to, among other things, register with the Department of Managed Health Care. This bill would require the California State Board of Pharmacy to license and regulate pharmacy benefit managers that manage the prescription drug coverage provided by a health care service plan or health insurer, except as specified. The bill would set forth various duties of pharmacy benefit managers, including requirements to file a report with the board. The bill would prohibit a pharmacy benefit manager from, among other things, contracting after January 1, 2024, to prohibit or restrict a pharmacy or pharmacist from disclosing to an enrollee or insured health care information that the pharmacy or pharmacist considers appropriate. This bill would require the board to promulgate necessary regulations and to prepare a report to the Legislature on or before August 1, 2025, and on or before each August 1 thereafter, with aggregate data received from pharmacy benefit managers, establish a data retention schedule, and protect proprietary and confidential information, as specified. Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. This bill would make legislative findings to that effect.

Primary Sponsors

Cottie Petrie-Norris

Title

Prescription drug pricing.

Introduction Date: 2023-02-17

Description

SB 786, Portantino. Prescription drug pricing. Existing federal law requires the United States Secretary of Health and Human Services to enter into an agreement with each manufacturer of covered outpatient drugs to ensure the amount a covered entity is required to pay for those drugs does not exceed the average manufacturer price of the drug under the federal Medicaid program. Existing state law requires a covered entity to dispense only drugs subject to these federal pricing requirements to Medi-Cal beneficiaries. Existing law defines a "covered entity" to include a federally qualified health center and entities receiving specified grants and federal funding. This bill would prohibit a pharmacy benefit manager from discriminating against a covered entity or its pharmacy in connection with dispensing a drug subject to federal pricing requirements or preventing a covered entity from retaining the benefit of discounted pricing for those drugs.

Primary Sponsors

Anthony Portantino

Title

Prescription drugs: cost sharing.

Introduction Date: 2023-02-17

Labels: Rebates Transparency and Disclosure

Description

SB 873, as introduced, Bradford. Prescription drugs: cost sharing. (1) Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care under authority of the Director of the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law provides for the regulation of health insurers by the Department of Insurance under the authority of the Insurance Commissioner. Existing law limits the maximum amount an enrollee or insured may be required to pay at the point of sale for a covered prescription drug to the lesser of the applicable cost-sharing amount or the retail price. This bill, commencing no later than January 1, 2025, would require an enrollee's or insured's defined cost sharing for each prescription drug to be calculated at the point of sale based on a price that is reduced by an amount equal to 90% of all rebates received, or to be received, in connection with the dispensing or administration of the drug. The bill would require a health care service plan or health insurer to, among other things, pass through to each enrollee or insured at the point of sale a good faith estimate of the enrollee's or insured's decrease in cost sharing. The bill would require a health care service plan or health insurer to calculate an enrollee's or insured's defined cost sharing and provide that information to the dispensing pharmacy, as specified. The bill would require the department and the commissioner to submit an annual report on the impact of these provisions to the appropriate policy committees of the Legislature, as specified. The bill would make these provisions inoperative on January 1, 2027. (2) Existing law requires a health care service plan or health insurer that files certain rate information to report to the appropriate department specified cost information regarding covered prescription drugs, including generic drugs, brand name drugs, and specialty drugs, dispensed as provided. This bill, until January 1, 2027, would require a health care service plan or health insurer to report additional information on the above-described point of sale provision. (3) Because a willful violation of the bill's provisions by a health care service plan would be a crime, the bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

Primary Sponsors

Steve Bradford

Title

Prescription Drug Benefits Contract Term Requirements

Description

For a contract between a pharmacy benefit manager (PBM) or a health insurance carrier (carrier) and a certificate holder or policyholder, the act requires that the amount charged by the PBM or carrier to the certificate holder or policyholder for a prescription drug be equal to or less than the amount paid by the PBM or carrier to the contracted pharmacy for the drug. For group health benefit plans in effect during the 2025 calendar year and each calendar year thereafter, the act creates transparency requirements for PBMs and carriers regarding prescription drug benefits and grants audit authority to the commissioner of insurance (commissioner) for fully insured plans to ensure compliance with the requirements. The commissioner is authorized to promulgate rules to implement the act. A violation of the requirements of the act is a deceptive trade practice in the business of insurance, with regard to fully insured plans. For contracts between a PBM and the department of health care policy and financing (state department) or one of its affiliated managed care organizations offering a prescription benefit plan that is issued on or after January 1, 2025, the act requires the amount charged by the PBM to the state department or managed care organization for a prescription drug dispensed to an enrollee in the Colorado medical assistance program to be equal to or less than the amount paid by the PBM to a pharmacy for the prescription drug dispensed to the enrollee. The act directs the medical services board to adopt rules to implement and ensure compliance with this requirement. APPROVED by Governor May 10, 2023 EFFECTIVE August 7, 2023 NOTE: This act was passed without a safety clause and takes effect 90 days after sine die. (Note: This summary applies to this bill as enacted.)

Primary Sponsors

Lindsey Daugherty, Matt Soper, Kyle Mullica, Jim Smallwood

Introduction Date: 2023-02-14

Labels: PBM enforcement PSAOs
Transparency and Disclosure

Title

Enforce Laws Against Pharmacy Benefit Managers

Introduction Date: 2023-03-02**Labels:** PBM enforcement**Description**

Under current law, pharmacy benefit managers (PBMs) are required to perform certain acts and are prohibited from engaging in certain acts. Specifically, PBMs are prohibited from: Requiring patients to obtain their prescription drugs through mail order; Charging pharmacies fees to adjudicate claims; Requiring pharmacies to obtain accreditations or certifications that are different than what the PBM requires of its affiliated pharmacies; Retroactively reducing a payment made to a pharmacy on a drug claim after the point of sale or reimbursing a pharmacy in an amount that is less than the amount reimbursed to its own affiliated pharmacy for the same pharmacy service; Modifying the prescription drug formulary under a health benefit plan during the plan year; With regard to audits, using specified techniques in calculating a recoupment or penalty, subjecting a pharmacy to recoupment when a clerical error is discovered, and requiring pharmacies to be audited more than once a year; Prohibiting a pharmacy or pharmacist from, or penalizing a pharmacy or pharmacist for, providing information to patients about more affordable, therapeutically equivalent alternatives to a prescribed drug; or Requiring a pharmacy or pharmacist to charge or collect a copayment from an insured patient that exceeds the total charge submitted by the pharmacy for the prescription drug. Additionally, PBMs are required to: Provide pharmacies 7 days' written notice before an audit, conduct an audit by or in consultation with a pharmacist, allow the pharmacy to supplement claims documentation, and establish an appeals process; Provide an insured individual, the insured's health-care provider, or a third party acting on behalf of the insured or provider with up-to-date and real-time cost, benefit, and coverage information under the terms of the insured's health benefit plan; and Provide contracted pharmacies with the list of sources the PBM used in determining maximum allowable cost pricing, update the information every 7 days, allow pharmacies the ability to readily review the information, follow specified requirements when placing a drug on the maximum allowable cost list, and establish an appeals process to resolve disputes. The act specifies that the commissioner of insurance (commissioner) has the power to enforce these prohibitions and requirements and impose penalties on PBMs for failing to comply with these prohibitions and requirements. The commissioner is also authorized to adopt rules as necessary to implement and enforce these prohibitions and requirements. Additionally, the act requires PBMs to register with and pay a registration fee to the commissioner and authorizes the commissioner to deny, suspend, revoke, or refuse to issue, continue, or renew a PBM registration or... (click bill link to see more).

Primary Sponsors

Iman Jodeh, David Ortiz, Perry Will, Sonya Lewis

State	Bill Number	Last Action	Status	Position	Priority
CO	SB 23-195	Governor Signed 2023 06 05	Enacted	None	None

Title

Calculation Of Contributions To Meet Cost Sharing

Introduction Date: 2023-03-16**Labels:** Co-pay accumulator**Description**

For health benefit plans issued or renewed on or after January 1, 2025, the act requires a health insurer or pharmacy benefit manager to include in the calculation of a covered person's contributions toward cost-sharing requirements, including any annual limitation on a covered person's out-of-pocket costs, any payments made by or on behalf of the covered person for a prescription drug if: The prescription drug does not have a generic equivalent or, for a biological product, a biosimilar drug or interchangeable biological product; or The prescription drug has a generic equivalent, a biosimilar drug, or an interchangeable biological product, but the covered person is using the brand-name drug after obtaining prior authorization, complying with a step-therapy protocol, or otherwise receiving approval from the carrier or pharmacy benefit manager if those utilization management processes are not otherwise prohibited by law. The commissioner of insurance is authorized to adopt rules necessary to implement the act. The act applies to health benefit plans issued or renewed on or after January 1, 2025. APPROVED by Governor June 5, 2023 EFFECTIVE August 7, 2023 NOTE: This act was passed without a safety clause and takes effect 90 days after sine die. (Note: This summary applies to this bill as enacted.)

Primary Sponsors

Faith Winter, Perry Will, Iman Jodeh, Rose Pugliese

State	Bill Number	Last Action	Status	Position	Priority
CT	HB 6659	File Number 719 Lco 2023 05 04	Failed sine die	None	None

Title

AN ACT CONCERNING THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2025, AND MAKING APPROPRIATIONS THEREFOR.

Introduction Date: 2023-02-09**Description**

To implement the Governor's budget recommendations.

State	Bill Number	Last Action	Status	Position	Priority
CT	HB 6669	Signed By The Governor 2023 06 27	Enacted	None	None

Title

AN ACT PROTECTING PATIENTS AND PROHIBITING UNNECESSARY HEALTH CARE COSTS.

Introduction Date: 2023-02-09**Description**

To implement the Governor's budget recommendations.

State	Bill Number	Last Action	Status	Position	Priority
CT	HB 6830	File Number 365 Lco 2023 04 03	Failed sine die	None	None

Title

AN ACT ESTABLISHING A PRESCRIPTION DRUG AFFORDABILITY ADVISORY COUNCIL.

Introduction Date: 2023-03-01**Labels:** Rx Affordability Board**Description**

To establish a prescription drug affordability board to monitor prescription drug pricing in this state.

Primary Sponsors

Joint Insurance and Real Estate Committee

State	Bill Number	Last Action	Status	Position	Priority
CT	SB 1159	House Calendar Number 593 2023 05 24	Failed sine die	None	None

Title

AN ACT CONCERNING PHARMACY BENEFITS MANAGERS AND DRUG AFFORDABILITY AND TRANSPARENCY.

Introduction Date: 2023-03-01**Labels:** PBM enforcement Rx Affordability Board

Transparency and Disclosure

Description

To: (1) Require the Insurance Department to conduct a study concerning pharmacy benefits managers; (2) require the Insurance Department to conduct a study concerning purchasing pools for prescription drugs and health care supplies; and (3) establish a prescription drug affordability board to monitor prescription drug pricing in this state.

Primary Sponsors

Joint Insurance and Real Estate Committee

State	Bill Number	Last Action	Status	Position	Priority
FL	HB 203	Died In Healthcare Regulation Subcommittee 2023 05 05	Failed	Support	High

Title

Access to Pharmacies and Prescription Drugs Under Insurance and Pharmacy Benefit Managers Policies

Introduction Date: 2023-01-13**Labels:** Any willing provider NADAC+

Patient steering

PBM enforcement

Provider networks

Reimbursement to PBM-owned pharmacies

White baggings

Description

Requires OIR to examine pharmacy benefit managers to ascertain compliance with specified laws; requires PBMs to have standard contracts with pharmacies; prohibits PBMs from denying pharmacies & pharmacists right to participate as contract providers; authorizes persons & entities to bring actions & injunctive relief; prohibits PBMs from engaging in acts against patients; prohibits health insurers & PBMs from engaging in acts relating to covered clinician-administered drugs.

Primary Sponsors

Karen Gonzalez Pittman

State	Bill Number	Last Action	Status	Position	Priority
FL	HB 1063	Died In Healthcare Regulation Subcommittee 2023 05 05	Failed	None	None

Title
Health Insurance Cost Sharing

Introduction Date: 2023-02-22

Labels: PSAOs

Description

Requiring specified individual health insurers and their pharmacy benefit managers to apply payments by or on behalf of insureds toward the total contributions of the insureds' cost-sharing requirements; requiring specified contracts to require pharmacy benefit managers to apply payments by or on behalf of insureds toward the insureds' total contributions to cost-sharing requirements; requiring specified group health insurers and their pharmacy benefit managers to apply payments by or on behalf of insureds toward the total contributions of the insureds' cost-sharing requirements; requiring specified contracts to require pharmacy benefit managers to apply payments by or on behalf of insureds toward the insureds' total contributions to cost-sharing requirements, etc.

Primary Sponsors

Lindsay Cross

State	Bill Number	Last Action	Status	Position	Priority
FL	HB 1509	Laid On Table Companion Bill S Passed See Cs Cs Sb 1550 Ch 2023 29 Cs Sb 1552 Ch 2023 30 2023 05 01	Failed sine die	Support	High

Title
Prescription Drugs

Introduction Date: 2023-03-06

Description

Requires drug manufacturers to notify DBPR of reportable drug price increases; prohibits manufacturers from claiming public records exemption for trade secrets for information provided in forms or reports; requires DFS to designate employee as primary contact on issues relating to PBMs; provides penalty for persons who do not hold certificate of authority to act as administrator; requires PBMs to identify ownership affiliations to office; provides requirements for contracts between PBM & participating pharmacy; provides for biennial examinations of PBMs.

Primary Sponsors

Linda Chaney, House Health & Human Services Committee, House Appropriations Committee, House Healthcare Regulation Subcommittee

State	Bill Number	Last Action	Status	Position	Priority
FL	SB 46	Died In Health Policy 2023 05 05	Failed	None	None

Title
Health Insurance Cost Sharing

Introduction Date: 2022-11-22

Labels: Co-pay accumulator Patient Protections

Description

Requiring specified individual health insurers and their pharmacy benefit managers to apply payments by or on behalf of insureds toward the total contributions of the insureds' cost-sharing requirements; requiring specified contracts to require pharmacy benefit managers to apply payments by or on behalf of insureds toward the insureds' total contributions to cost-sharing requirements; requiring specified group health insurers and their pharmacy benefit managers to apply payments by or on behalf of insureds toward the total contributions of the insureds' cost-sharing requirements; requiring specified contracts to require pharmacy benefit managers to apply payments by or on behalf of insureds toward the insureds' total contributions to cost-sharing requirements, etc.

Primary Sponsors

Tom Wright

State	Bill Number	Last Action	Status	Position	Priority
FL	SB 420	Died In Health Policy 2023 05 05	Failed	Support	High

Title
Pharmacy Benefit Managers

Introduction Date: 2023-01-26

Labels: PBM enforcement

Description

Requiring the Office of Insurance Regulation to conduct market conduct examinations of pharmacy benefit managers as often as the office deems necessary; authorizing the office to take certain disciplinary actions against a pharmacy benefit manager for specified acts, etc.

Primary Sponsors

Tom Wright

State FL	Bill Number SB 1550	Last Action Chapter No 2023 29 Companion Bill S Passed See Cs Sb 1552 Ch 2023 30 2023 05 04	Status Enacted	Position Support	Priority High
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Title
Prescription Drugs

Description

Citing this act as the "Prescription Drug Reform Act"; specifying additional prohibited acts related to the Florida Drug and Cosmetic Act; requiring certain drug manufacturers to notify the Department of Business and Professional Regulation of reportable drug price increases on a specified form on the effective date of such increase; requiring the Division of Consumer Services of the Department of Financial Services to designate an employee as the primary contact for consumer complaints involving pharmacy benefit managers; providing a grandfathering provision for certain pharmacy benefit managers operating as administrators; requiring pharmacy benefits plans and programs, beginning on a specified date, to annually submit a certain attestation to the Office of Insurance Regulation, etc.

Primary Sponsors

Jason Brodeur, Senate Fiscal Policy Committee, Senate Health Policy Committee

Introduction Date: 2023-03-03

Labels: [Accreditation requirements](#) [Appeal procedure](#)
[Drug Pricing](#) [Gag clause](#) [Mail-order](#)
[PBM contracts](#) [PBM enforcement](#)
[Protections from under-reimbursement](#)
[Provider networks](#) [Registration/Licensure](#)
[Reimbursement to PBM-owned pharmacies](#)
[Retroactive claims adjustments](#) [Spread pricing](#)
[Transparency and Disclosure](#)

State FL	Bill Number SB 1552	Last Action Chapter No 2023 30 Companion Bill S Passed See Cs Cs Sb 1550 Ch 2023 29 2023 05 04	Status Enacted	Position None	Priority None
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Title
Public Records/Pharmacy Benefit Managers

Description

Providing an exemption from public records requirements for examination and investigation reports and work papers relating to pharmacy benefit managers; expanding a public records exemption for the books and records of administrators held by the Office of Insurance Regulation for purposes of examination, audit, and inspection to incorporate the inclusion of pharmacy benefit managers as administrators under the Florida Insurance Code; providing for future legislative review and repeal of the exemption; providing statements of public necessity, etc.

Primary Sponsors

Jason Brodeur, Senate Health Policy Committee

Introduction Date: 2023-03-03

Labels: [PSAOs](#) [Trade Secrets](#)

State	Bill Number	Last Action	Status	Position	Priority
FL	SB 1638	Died In Banking And Insurance 2023 05 05	Failed	None	None

Title
Coverage for Clinician-administered Drugs

Introduction Date: 2023-03-03

Labels: White baggings

Description
Prohibiting certain acts by insurers or pharmacy benefit managers that cover clinician-administered drugs; providing that violations are deemed unfair methods of competition and unfair practices or acts, etc.

Primary Sponsors
Corey Simon

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
GA	HB 343	Senate Read And Referred 2023 03 07	In Senate	None	None	56.6% 74.4%

Title
Lowering Prescription Drug Costs for Patients Act; enact

Introduction Date: 2023-02-13

Labels: PSAOs Rebates

Transparency and Disclosure

Description
A BILL to be entitled an Act to amend Chapter 64 of Title 33 of the Official Code of Georgia Annotated, relating to regulation and licensure of pharmacy benefits managers, so as to provide for definitions; to require pharmacy benefits managers to calculate defined cost sharing for insureds at the point of sale; to provide for statutory construction; to provide for violations; to provide for limitations; to provide for annual reporting; to provide for confidentiality; to provide for related matters; to provide for a short title; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Primary Sponsors
Mark Newton, Sharon Cooper, Ron Stephens, Debbie Buckner, Jesse Petrea, Farooq Mughal

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
GA	HB 417	House Withdrawn Recommitted 2023 03 29	In House	None	None	67.7% 87.4%

Title
Insurance; prohibit insurers from discriminating against certain healthcare facilities and providers in connection with provider administered drugs

Introduction Date: 2023-02-16

Labels: White baggings

Description
A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to prohibit insurers from discriminating against certain healthcare facilities and providers in connection with the procurement, delivery, and administration of provider administered drugs; to provide for definitions; to provide for violation; to provide for construction; to provide for penalties; to provide for damages; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Primary Sponsors
David Knight, Sharon Cooper, Matt Barton, Penny Houston, Matt Hatchett

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
GA	HB 448	House Second Readers 2023 02 22	In House	None	None	19.4% 90.5%

Title

The Medication and Patient Safety Act; enact

Introduction Date: 2023-02-21**Labels:** White baggings**Description**

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the O.C.G.A., relating to insurance generally, so as to provide for a covered person to have safe and affordable access to a physician-administered medication; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Primary Sponsors

Kim Schofield, Billy Mitchell, Sandra Scott, Viola Davis, Karen Bennett, Solomon Adesanya

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
GA	SB 286	Senate Read And Referred 2023 03 06	In Senate	None	None	32.6% 89.1%

Title

"Lowering Prescription Drug Costs for Patients Act"; enact

Introduction Date: 2023-03-06**Labels:** Patient Protections RebatesTransparency and Disclosure**Description**

A BILL to be entitled an Act to amend Chapter 64 of Title 33 of the Official Code of Georgia Annotated, relating to regulation and licensure of pharmacy benefits managers, so as to provide for definitions; to require pharmacy benefits managers to calculate defined cost sharing for insureds at the point of sale; to provide for statutory construction; to provide for violations; to provide for limitations; to provide for annual reporting; to provide for confidentiality; to provide for related matters; to provide for a short title; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Primary Sponsors

Ben Watson, Kay Kirkpatrick, Nan Orrock, Chuck Hufstetler, Gloria Butler

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
HI	HB 1083	Referred To Hlt Cpc Referral Sheet 3 2023 01 30	In House	None	None	66.6% 66.5%

Title

Relating To The Repeal Of Section 328-106, Hawaii Revised Statutes.

Introduction Date: 2023-01-25**Description**

Repeals unenforceable and ineffective provisions from chapter 328, Hawaii Revised Statutes.

State	Bill Number	Last Action	Status	Position	Priority
HI	SB 1381	Act 207 07 03 2023 Gov Msg No 1310 2023 07 05	Enacted	Oppose	None

Title
Relating To The Repeal Of Section 328-106, Hawaii Revised Statutes.

Introduction Date: 2023-01-25

Labels: Pharmacy Reimbursements

Description
Repeals section 328-106, Hawaii Revised Statutes, which requires the Department of Health to regulate business practices between private entities engaged in the selling, billing, and reimbursement of pharmaceuticals. (CD1)

State	Bill Number	Last Action	Status	Position	Priority
IA	HF 423	Signed By Governor 2023 04 28	Enacted	None	None

Title
A bill for an act relating to contract pharmacies and covered entities that participate in the 340B drug program. (Formerly HSB 137.) Effective date: 07/01/2023.

Introduction Date: 2023-02-22

Labels: 340B

Primary Sponsors
Services

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
IA	HF 525	Withdrawn 2023 04 11	In House	None	None	4.4% 83.1%

Title
A bill for an act relating to the Medicaid program including third-party recovery and taxation of Medicaid managed care organization premiums.(Formerly HSB 177; See HF 685.)

Introduction Date: 2023-03-01

Labels: tax

Primary Sponsors
Services

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
IA	HSB 137	Committee Report Approving Bill Renumbered As Hf 423 2023 02 22	In House	None	None	4.9% 82.7%

Title
A bill for an act relating to contract pharmacies and covered entities that participate in the 340B drug program.(See HF 423.)

Introduction Date: 2023-02-07

Labels: 340B PBM enforcement

Primary Sponsors
Committee On Health And Human Services

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
IA	SF 284	Committee Report Approving Bill Renumbered As Sf 554 2023 03 22	In Senate	None	None	2.0% 85.2%

Title
A bill for an act relating to pharmacy benefits manager reverse auctions and group insurance for public employees. (See SF 554.)

Introduction Date: 2023-02-14

Labels: Reverse auction

Primary Sponsors
Mike Klimesh

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
IA	SF 333	Subcommittee Recommends Amendment And Passage 2023 02 27	In Senate	None	None	3.4% 85.0%

Title

A bill for an act relating to pharmacy benefits managers, pharmacies, and prescription drug benefits, and including applicability provisions.

Introduction Date: 2023-02-20**Labels:** Any willing provider Appeal procedure

Mail-order

Patient Protections

Primary Sponsors

Mike Klimesh

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
IA	SF 419	Withdrawn 2023 04 20	In Senate	None	None	14.9% 81.5%

Title

A bill for an act relating to contract pharmacies and covered entities that participate in the 340B drug program.(Formerly SSB 1098.)

Introduction Date: 2023-02-27**Labels:** 340B**Primary Sponsors**

Senate Committee on Commerce

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
IA	SF 554	Message From Senate 2023 04 25	In House	None	None	13.6% 59.6%

Title

A bill for an act relating to pharmacy benefits manager reverse auctions and group insurance, and annual reporting by pharmacy benefits managers. (Formerly SF 284.)

Introduction Date: 2023-03-22**Labels:** Reverse auction**Primary Sponsors**

Senate Committees on Ways and Means

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
IA	SSB 1098	Committee Report Approving Bill Renumbered As Sf 419 2023 02 27	In Senate	None	None	4.2% 82.4%

Title

A bill for an act relating to contract pharmacies and covered entities that participate in the 340B drug program.(See SF 419.)

Introduction Date: 2023-01-30**Primary Sponsors**

Senate Committee on Commerce

State	Bill Number	Last Action	Status	Position	Priority
ID	H 215	Reported Signed By Governor On March 31 2023 Session Law Chapter 232 Effective 07 01 2023 2023 04 06	Enacted	None	None

Title

INSURANCE - Amends existing law to provide for enforcement of provisions applicable to pharmacy benefit managers.

Introduction Date: 2023-02-24**Labels:** PBM enforcement**Primary Sponsors**

House Health and Welfare Committee

State	Bill Number	Last Action	Status	Position	Priority
IL	H 291	Reported Signed By Governor On March 31 2023 Session Law Chapter 233 Effective 07 01 2023 2023 04 06	Enacted	None	None

Title

FAIR PHARMACY AUDITS ACT - Adds to existing law to implement the Fair Pharmacy Audits Act.

Introduction Date: 2023-03-09

Labels: Fair Pharmacy Audits

Primary Sponsors

House Health and Welfare Committee

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
IL	HB 1034	Referred To Rules Committee 2023 01 12	In House	None	None	2.9% 68.6%

Title

Prescription Drug Price

Introduction Date: 2022-12-19

Labels: Transparency and Disclosure

Description

Amends the Illinois Food, Drug and Cosmetic Act. Provides that the amendatory provisions apply to any manufacturer of a prescription drug that is purchased or reimbursed by specified parties. Provides that a manufacturer of a prescription drug with a wholesale acquisition cost of more than \$40 for a course of therapy shall notify specified parties if the increase in the wholesale acquisition cost of the prescription drug is more than 10%, including the proposed increase and cumulative increase. Provides that the notice of price increase shall be provided in writing at least 60 days prior to the planned date of the increase. Provides that no later than 30 days after notification of a price increase or new prescription drug the manufacturer shall report specified additional information to specified parties. Provides that a manufacturer of a prescription drug shall provide written notice if the manufacturer is introducing a new prescription drug to market at a wholesale acquisition cost that exceeds a specified threshold. Provides that failure to provide notice under the amendatory provisions shall result in a civil penalty of \$10,000 per day for every day after the notification period that the manufacturer fails to report the information. Requires the Department of Public Health to conduct an annual public hearing on the aggregate trends in prescription drug pricing. Requires the Department to publish on its website a report detailing findings from the public hearing and a summary of details from reports provided under the amendatory provisions, except for information identified as a trade secret or exempted under the Freedom of Information Act. Provides that the amendatory provisions shall not restrict the legal ability of a pharmaceutical manufacturer to change prices as permitted under federal law.

Primary Sponsors

Mary Flowers

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
IL	HB 1348	Rule 19 A Re Referred To Rules Committee 2023 03 27	In House	None	None	20.0% 70.1%

Title
Ins-Health Plan Benefit Data

Introduction Date: 2023-01-23

Description

Amends the Illinois Insurance Code. Provides that no later than July 1, 2024, each health plan and pharmacy benefit manager operating in this State shall, upon request of a covered individual, his or her health care provider, or an authorized third party on his or her behalf, furnish specified cost, benefit, and coverage data to the covered individual, his or her health care provider, or the third party of his or her choosing and shall ensure that the data is: (1) current no later than one business day after any change is made; (2) provided in real time; and (3) in a format that is easily accessible to the covered individual or, in the case of his or her health care provider, through an electronic health records system. Provides that the format of the request shall use specified industry content and transport standards. Provides that a facsimile is not an acceptable electronic format. Provides that upon request, specified data shall be provided for any drug covered under the covered individual's health plan. Makes other changes. Defines terms.

Primary Sponsors

Lakesia Collins, Natalie Manley, Will Guzzardi

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
IL	HB 1536	Referred To Rules Committee 2023 01 31	In House	None	None	2.8% 69.1%

Title
Medicaid-Pharmacy Payments

Introduction Date: 2023-01-30

Description

Amends the Medical Assistance Article of the Illinois Public Aid Code. Provides the no appropriation may be expended to a managed care organization under contract with the Department of Healthcare and Family Services unless the managed care organization, and its pharmacy benefits manager, allows prescription drug benefits to be provided by specialty pharmacies that are certified in the Business Enterprise Program and accredited by at least 2 different accreditation entities for specialty pharmacy services on the same terms and conditions by any willing provider that is qualified for network participation and authorized to dispense prescription drugs. Prescription drug benefits include those that are managed both as a part of the overall healthcare benefits package, medical and pharmacy benefits that are integrated into one package through a managed care organization, and pharmacy benefits that are separately administered or subcontracted through a pharmacy benefits manager. Defines "specialty pharmacy". Effective July 1, 2023.

Primary Sponsors

Hoan Huynh

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
IL	HB 2814	Rule 19 A Re Referred To Rules Committee 2023 03 10	In House	None	None	4.3% 66.1%

Title
Ins-Clinician Administer Drug

Introduction Date: 2023-02-16

Labels: White baggings

Description

Amends the Illinois Insurance Code. Provides that a health benefit plan amended, delivered, issued, or renewed on or after January 1, 2023 that provides prescription drug coverage or its contracted pharmacy benefit manager shall not engage in or require an enrollee to engage in specified prohibited acts. Provides that a clinician-administered drug supplied shall meet the supply chain security controls and chain of distribution set by the federal Drug Supply Chain Security Act. Provides that the Department of Insurance may adopt rules as necessary to implement the provisions. Defines terms. Makes conforming changes in the State Employees Group Insurance Act of 1971, the Counties Code, the Illinois Municipal Code, the School Code, the Health Maintenance Organization, and the Voluntary Health Services Plans Act.

Primary Sponsors
Camille Lilly

State	Bill Number	Last Action	Status	Position	Priority
IL	HB 3631	Public Act 103 0453 2023 08 04	Enacted	None	None

Title
Ins-Pbm/Information Disclosure

Introduction Date: 2023-02-17

Labels: Transparency and Disclosure

Description

Amends the Pharmacy Benefit Managers Article of the Illinois Insurance Code. Provides that a pharmacy benefit manager shall not prohibit a pharmacist or pharmacy from, or indirectly punish a pharmacist or pharmacy for, making any written or oral statement or otherwise disclosing information to any federal, State, county, or municipal official, including the Director of Insurance or law enforcement, or before any State, county, or municipal committee, body, or proceeding under specified circumstances. Provides that the provisions apply to contracts entered into or renewed on or after July 1, 2023 (rather than July 1, 2022). Replaces everything after the enacting clause. Amends the Pharmacy Benefit Managers Article of the Illinois Insurance Code. Provides that a pharmacy benefit manager may not retaliate against a pharmacist or pharmacy for disclosing information in a court, in an administrative hearing, before a legislative commission or committee, in any other proceeding, or to a government or law enforcement agency, if the pharmacist or pharmacy has reasonable cause to believe that the disclosed information is evidence of a violation of a State or federal law, rule, or regulation. Provides that a pharmacist or pharmacy shall make commercially reasonable efforts to limit the disclosure of confidential and proprietary information. Provides that retaliatory actions against a pharmacy or pharmacist include specified actions. Provides that the provisions apply to contracts entered into or renewed on or after July 1, 2022 (rather than July 1, 2023). Adds a July 1, 2023 effective date.

Primary Sponsors
Hoan Huynh, C.D Davidsmeyer, Kevin Olickal, Lilian Jimenez, Bob Morgan, Mike Simmons

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
IL	HB 3761	Added Co Sponsor Rep Christopher C D Davidsmeyer 2023 03 30	In House	None	None	3.8% 67.7%

Title
Ins-Pbm/Duties & Prohibitions

Description
Amends the Pharmacy Benefit Managers Article of the Illinois Insurance Code. Provides that a pharmacy benefit manager may not prohibit a pharmacy or pharmacist from selling a more affordable alternative to the covered person if a more affordable alternative is available. Provides that a pharmacy benefit manager shall not reimburse a pharmacy or pharmacist in this State an amount less than the amount that the pharmacy benefit manager reimburses a pharmacy benefit manager affiliate for providing the same pharmaceutical product. Provides that a pharmacy benefit manager is prohibited from conducting spread pricing in the State. Sets forth provisions concerning pharmacy network participation, fiduciary responsibility, and pharmacy benefit manager transparency. Provides that a pharmacy benefit manager shall report to the Director on a quarterly basis and that the report is confidential and not subject to disclosure under the Freedom of Information Act. Provides that the provisions apply to contracts entered into or renewed on or after July 1, 2023 (rather than July 1, 2022). Defines terms. Amends the Network Adequacy and Transparency Act. Sets forth provisions concerning pharmacy benefit manager network adequacy. Makes other changes.

Primary Sponsors
Will Guzzardi

Introduction Date: 2023-02-17

Labels: Accreditation requirements Any willing provider
Fiduciary duty Gag clause Mail-order
Provider networks Rebates
Reimbursement to PBM-owned pharmacies
Spread pricing Transparency and Disclosure

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
IL	HB 3787	Rule 19 A Re Referred To Rules Committee 2023 03 10	In House	None	None	2.4% 66.3%

Title
Ins-Pbm/Steering Prohibition

Description
Amends the Pharmacy Benefit Managers Article of the Illinois Insurance Code. Provides that a pharmacy benefit manager shall not: steer a beneficiary; order a covered individual to fill a prescription or receive pharmacy care services from an affiliated pharmacy; reimburse a pharmacy or pharmacist for a pharmaceutical product or pharmacist service in an amount less than the amount that the pharmacy benefit manager reimburses itself or an affiliate for providing the same product or services; offer or implement plan designs that require patients to use an affiliated pharmacy; or advertise, market, or promote a pharmacy by an affiliate to patients or prospective patients. Defines terms.

Primary Sponsors
Camille Lilly

Introduction Date: 2023-02-17

Labels: Mail-order Patient steering
Reimbursement to PBM-owned pharmacies

Title
Regulation-Tech

Introduction Date: 2023-02-02

Labels: Fair Pharmacy Audits

Description

Amends the Illinois Banking Act. Makes a technical change in a Section concerning the short title. Replaces everything after the enacting clause. Amends the Pharmacy Benefit Managers Article of the Illinois Insurance Code. Provides that when conducting a pharmacy audit, an auditing entity shall comply with specified requirements. Provides that an auditing entity conducting a pharmacy audit may have access to a pharmacy's previous audit report only if the report was prepared by that auditing entity. Provides that information collected during a pharmacy audit shall be confidential by law, except that the auditing entity conducting the pharmacy audit may share the information with the health benefit plan for which a pharmacy audit is being conducted and with any regulatory agencies and law enforcement agencies as required by law. Provides that a pharmacy may not be subject to a chargeback or recoupment for a clerical or recordkeeping error in a required document or record unless the pharmacy benefit manager can provide proof of intent to commit fraud or such error results in actual financial harm to the pharmacy benefit manager, a health plan managed by the pharmacy benefit manager, or a consumer. Provides that a pharmacy shall have the right to file a written appeal of a preliminary and final pharmacy audit report in accordance with the procedures established by the entity conducting the pharmacy audit. Provides that no interest shall accrue for any party during the audit period. Provides that an auditing entity must provide a copy to the plan sponsor of its claims that were included in the audit, and any recouped money shall be returned to the plan sponsor, unless otherwise contractually agreed upon by the plan sponsor and the pharmacy benefit manager. Defines terms.

Primary Sponsors

Dave Koehler, Kevin Olickal

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
IL	SB 1255	Rule 3 9 A Re Referred To Assignments 2023 03 10	In Senate	None	None	22.2% 68.4%

Title
Ins-Clinician Administer Drug

Introduction Date: 2023-02-03

Labels: White baggings

Description

Amends the Illinois Insurance Code. Provides that a health benefit plan amended, delivered, issued, or renewed on or after January 1, 2024 that provides prescription drug coverage or its contracted pharmacy benefit manager shall not engage in or require an enrollee to engage in specified prohibited acts. Provides that a clinician-administered drug supplied shall meet the supply chain security controls and chain of distribution set by the federal Drug Supply Chain Security Act. Provides that the Department of Insurance may adopt rules as necessary to implement the provisions. Defines terms. Makes conforming changes in the State Employees Group Insurance Act of 1971, the Counties Code, the Illinois Municipal Code, the School Code, the Health Maintenance Organization Act, and the Voluntary Health Services Plans Act.

Primary Sponsors
Cristina Castro

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
IL	SB 1479	Rule 3 9 A Re Referred To Assignments 2023 03 10	In Senate	None	None	58.3% 74.2%

Title
Ins-Regulatory Exam/Compliance

Introduction Date: 2023-02-07

Labels: PBM enforcement

Description

Amends the Illinois Insurance Code. Sets forth provisions concerning market conduct and nonfinancial examinations; market analysis and market conduct actions; access to books and records; examination reports; hearings; disclosures; confidentiality; corrective actions; and immunity to liability of market conduct surveillance personnel. Provides that the Director of Insurance shall collect and report market data to the National Association of Insurance Commissioner's market information systems. Provides that if the Director or an examiner finds that an administrator or pharmacy benefit manager has violated insurance-related laws or regulations under specified circumstances, then, unless the health care payer, health insurer, or plan sponsor is included in the examination and has been afforded the same opportunity to request or participate in a hearing on the examination report, the examination report shall not allege a violation by the health care payer, health insurer, or plan sponsor and the Director's order based on the report shall not impose any requirements, prohibitions, or penalties on the health care payer, health insurer, or plan sponsor. Removes various provisions concerning market conduct and nonfinancial examinations. Defines terms. Makes other changes. Effective immediately.

Primary Sponsors
Ann Gillespie

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
IL	SB 1618	Rule 3 9 A Re Referred To Assignments 2023 03 31	In Senate	None	None	25.0% 74.1%

Title
Ins-Health Plan Benefit Data

Introduction Date: 2023-02-08

Description

Amends the Illinois Insurance Code. Provides that no later than July 1, 2024, each health plan and pharmacy benefit manager operating in this State shall, upon request of a covered individual, his or her health care provider, or an authorized third party on his or her behalf, furnish specified cost, benefit, and coverage data to the covered individual, his or her health care provider, or the third party of his or her choosing and shall ensure that the data is: (1) current no later than one business day after any change is made; (2) provided in real time; and (3) in a format that is easily accessible to the covered individual or, in the case of his or her health care provider, through an electronic health records system. Provides that the format of the request shall use specified industry content and transport standards. Provides that a facsimile is not an acceptable electronic format. Provides that upon request, specified data shall be provided for any drug covered under the covered individual's health plan. Makes other changes. Defines terms.

Labels: Patient Protections
Transparency and Disclosure

Primary Sponsors

Julie Morrison

State	Bill Number	Last Action	Status	Position	Priority
IN	HB 1273	Representatives Vermilion A And Barrett Added As Coauthors 2023 01 19	Failed sine die	None	None

Title
Prescription drug rebates and pricing.

Introduction Date: 2023-01-11

Description

Provides that, for individual health insurance coverage, the defined cost sharing for a prescription drug be calculated at the point of sale and based on a price that is reduced by an amount equal to at least 85% of all rebates received by the insurer in connection with the dispensing or administration of the prescription drug. Requires that, for group health insurance coverage, an insurer: (1) pass through to a plan sponsor 100% of all rebates received or estimated to be received by the insurer concerning the dispensing or administration of prescription drugs to the covered individuals of the plan sponsor; (2) provide a plan sponsor, at the time of contracting, the option of calculating defined cost sharing for covered individuals of the plan sponsor at the point of sale based on a price that is reduced by some or all of the rebates received or estimated to be received by the insurer concerning the dispensing or administration of the prescription drug; and (3) disclose specified information to the plan sponsor. Allows the department of insurance to enforce the provisions and impose a civil penalty.

Primary Sponsors

Donna Schaibley, Ann Vermilion, Brad Barrett

State	Bill Number	Last Action	Status	Position	Priority
IN	HB 1445	Public Law 233 2023 05 04	Enacted	None	None

Title

Audit of Medicaid program prescription drug costs.

Introduction Date: 2023-01-17

Labels: PBM enforcement

Description

Amends the requirements for a physician to provide office based opioid treatment. Provides that the attorney general may issue a request for proposal to audit the prescription drug programs within the state employee health plan and the Medicaid program. Provides that the attorney general may evaluate and determine whether to include specified metrics in the request for proposal. Provides that the audit look back period must be the previous five state fiscal years. Provides that the results of the audits must be provided to the interim study committee on public health, behavioral health, and human services before September 1, 2024. Provides that a practitioner is not required to obtain information about a patient from the Indiana scheduled prescription electronic collection and tracking program (INSPECT) data base or through the patient's integrated health record before prescribing certain medications if the patient is enrolled in a hospice program.

Primary Sponsors

Ann Vermilion, Matt Lehman, Martin Carbaugh, Greg Porter, Mike Bohacek, Ed Charbonneau, Andy Zay

State	Bill Number	Last Action	Status	Position	Priority
IN	SB 8	Signed By The Governor 2023 05 04	Enacted	None	None

Title

Prescription drug rebates and pricing.

Introduction Date: 2023-01-09

Description

Requires a pharmacy benefit manager to provide a report to the department of insurance at least every six months. Provides that the report must include the: (1) overall aggregate amount charged to a health plan for all pharmaceutical claims processed by the pharmacy benefit manager; and (2) overall aggregate amount paid to pharmacies for claims processed by the pharmacy benefit manager. Requires that, for individual health insurance coverage, the defined cost sharing for a prescription drug be calculated at the point of sale and based on a price that is reduced by an amount equal to at least 85% of all rebates in connection with the dispensing or administration of the prescription drug. Requires that, for group health insurance coverage, an insurer: (1) pass through to a plan sponsor 100% of all rebates concerning the dispensing or administration of prescription drugs to the covered individuals of the plan sponsor; (2) provide a plan sponsor, at the time of contracting, the option of calculating defined cost sharing for covered individuals of the plan sponsor at the point of sale based on a price that is reduced by some or all of the rebates received concerning the dispensing or administration of the prescription drug; and (3) disclose specified information to the plan sponsor. Allows the department of insurance to enforce the provisions and impose a civil penalty.

Primary Sponsors

Ed Charbonneau, Mike Bohacek, Vaneta Becker, Justin Busch, Stacey Donato, Mike Crider, Lonnie Randolph, Donna Schaibley

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
KS	HB 2099	Referred To Committee On Insurance 2023 01 19	In House	None	None	3.8% 75.0%

Title Introduction Date: 2023-01-19
Discontinuing certain exemptions from the pharmacy benefits manager licensure act.

Primary Sponsors
House Committee on Insurance

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
KS	SB 236	Referred To Committee On Financial Institutions And Insurance 2023 02 13	In Senate	None	None	6.4% 73.8%

Title Introduction Date: 2023-02-10
Requiring drug manufacturers to provide pricing under the federal 340B drug pricing program to pharmacies that enter into contractual agreements with entities covered under the 340B program and prohibiting pharmacy benefits managers from denying patients the freedom to use the pharmacy and healthcare provider of such patient's choice.

Labels: 340B

Primary Sponsors
Senate Committee on Public Health and Welfare

State	Bill Number	Last Action	Status	Position	Priority
KY	HB 350	To Banking Insurance H 2023 02 23	Failed sine die	None	None

Title Introduction Date: 2023-02-16
AN ACT relating to patient access to pharmacy benefits.

Description
Amend KRS 304.17A-164 to prohibit insurers, pharmacy benefit managers, and other administrators of pharmacy benefits from imposing certain requirements on health plan insureds; create a new section of Subtitle 17A of KRS Chapter 304 to establish prohibited practices for pharmacy benefit managers; create new sections of Subtitles 17C and 38A of KRS Chapter 304 to apply provisions of legislation to limited health service benefit plans, including limited health service contracts, and limited health service organizations; establish when legislation applies to health plans and contracts; provide that provisions of this Act shall be severable; EFFECTIVE, in part, January 1, 2024.

Primary Sponsors
Dan Bentley, Brandon Reed

State	Bill Number	Last Action	Status	Position	Priority
KY	SB 38	To Appropriations Revenue S 2023 02 07	Failed sine die	None	None

Title

AN ACT relating to health care to provide for an all-payer claims database and making an appropriation therefor.

Introduction Date: 2023-01-04**Description**

Create new sections of KRS Chapter 194A to establish the Kentucky all-payer claims database; establish purposes, definitions, and a restricted fund for the database; require the executive director of the Office of Data Analytics to develop, implement, operate, and maintain the database and promulgate administrative regulations to carry out those duties; establish an advisory council to make recommendations to the executive director; establish requirements for database administration and operations; require state-regulated health payers to report to the database; amend KRS 194A.030, 194A.101, and 304.2-100 to conform; create a new section of Subtitle 99 of KRS Chapter 304 to require the commissioner of insurance to enforce reporting requirements; establish time for making initial appointments and provide for staggered appointments to the advisory council; require the Cabinet for Health and Family Services to obtain a federal waiver within 90 days after the effective date of Act if necessary for implementation; APPROPRIATION.

Primary Sponsors

Ralph Alvarado

State	Bill Number	Last Action	Status	Position	Priority
KY	SB 42	Signed By Governor Acts Ch 48 2023 03 22	Enacted	None	None

Title

AN ACT relating to the state employee health plan.

Introduction Date: 2023-01-05**Labels:** Single PBM**Description**

Amend KRS 18A.2258 to require the secretary of the Finance Cabinet to contract with an independent entity to monitor all Public Employee Health Insurance health care service benefit claims; allow the contract to include pharmacy benefits claims monitoring if used in lieu of the contract to monitor pharmacy benefit claims; exclude health care benefits for Medicare eligible retirees from the purview of the monitoring entity.

Primary Sponsors

Steve Meredith

State	Bill Number	Last Action	Status	Position	Priority
KY	SB 68	To Banking Insurance S 2023 02 09	Failed sine die	None	None

Title

AN ACT relating to prescription drugs.

Introduction Date: 2023-02-07

Description

Amend KRS 304.17A-164 to establish cost-sharing requirements for prescription drugs; require rebates to be passed through; establish confidentiality requirements for the rebate information; create a new section of KRS 365.880 to 365.900 to provide that the actual amount of rebates received is a trade secret; provide that compliance with the prescription drugs cost-sharing and rebate requirements shall not be in violation of the Uniform Trade Secrets Act; create a new section of Subtitle 17C of KRS Chapter 304 to apply the cost-sharing and rebate requirements for prescription drugs to limited health service benefit plans and limited health service contracts; create a new section of Subtitle 38A of KRS Chapter 304 and amend KRS 18A.225 and 164.2871 to require limited health service organizations, the state employee health plan, and self-insured employer group health plans provided by the governing board of a state postsecondary education institution to comply with the cost-sharing and rebate requirements for prescription drugs; apply provisions to health plans issued or renewed on or after January 1, 2024; EFFECTIVE January 1, 2024.

Primary Sponsors

Steve Meredith, Lindsey Tichenor

State	Bill Number	Last Action	Status	Position	Priority
KY	SB 149	To Banking Insurance S 2023 02 17	Failed sine die	None	None

Title

AN ACT relating to patient access to pharmacy benefits.

Introduction Date: 2023-02-15

Description

Amend KRS 304.17A-164 to prohibit insurers, pharmacy benefit managers, and other administrators of pharmacy benefits from imposing certain requirements on health plan insureds; create a new section of Subtitle 17A of KRS Chapter 304 to establish prohibited practices for pharmacy benefit managers; create new sections of Subtitles 17C and 38A of KRS Chapter 304 to apply provisions of legislation to limited health service benefit plans, including limited health service contracts, and limited health service organizations; establish when legislation applies to health plans and contracts; provide that provisions of this Act shall be severable; EFFECTIVE, in part, January 1, 2024.

Labels: Any willing provider ERISA Mail-order
Patient steering
Reimbursement to PBM-owned pharmacies

Primary Sponsors

Don Douglas, Mike Wilson

State	Bill Number	Last Action	Status	Position	Priority
LA	HB 529	Read By Title Returned To The Calendar 2023 05 16	Failed sine die	None	None

Title

INSURANCE/GROUP-STATE: Provides relative to pharmacy benefit manager services provided to the office of group benefits (EG INCREASE SG EX See Note)

Introduction Date: 2023-03-31

Labels: NADAC+ Patient steering Spread pricing

Primary Sponsors

Rick Edmonds

State	Bill Number	Last Action	Status	Position	Priority
LA	HB 548	Effective Date 08 01 2023 2023 06 12	Enacted	None	None

Title

DRUGS/PRESCRIPTION: Provides relative to the 340B drug pricing program (EN NO IMPACT See Note)

Introduction Date: 2023-03-31

Labels: 340B

Primary Sponsors

Chris Turner

State	Bill Number	Last Action	Status	Position	Priority
LA	SB 65	Read By Title Under The Rules Referred To The Committee On Appropriations 2023 04 26	Failed sine die	None	None

Title

PHARMACEUTICALS: Provides relative to state procurement of pharmacy benefit manager services by use of reverse auction technology. (8/1/23) (RE SEE FISC NOTE EX See Note)

Introduction Date: 2023-03-28

Labels: Reverse auction

Primary Sponsors

Fred Mills

State	Bill Number	Last Action	Status	Position	Priority
LA	SB 171	Read By Title Reconsidered Returned To The Calendar Under The Rules 2023 05 31	Failed sine die	None	None

Title

PHARMACEUTICALS: Creates the pharmacy benefit managers quality incentive program. (gov sig) (RE1 SG EX See Note)

Introduction Date: 2023-03-31

Labels: Provider networks Quality metrics

Primary Sponsors

Fred Mills

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	H 934	Hearing Scheduled For 05 16 2023 From 10 00 Am 01 00 Pm In A 2 And Virtual 2023 05 02	In House	None	None	94.7% 80.1%

Title

An Act to enact the pharmacy benefit manager compensation reform

Introduction Date: 2023-02-16

Labels: PBM enforcement Spread pricing

Description

By Representative Ayers of Quincy, a petition (accompanied by bill, House, No. 934) of Bruce J. Ayers relative to pharmacy benefit manager insurance compensation reform. Financial Services.

Primary Sponsors

Bruce Ayers

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	H 1016	Hearing Scheduled For 05 16 2023 From 10 00 Am 01 00 Pm In A 2 And Virtual 2023 05 02	In House	None	None	96.1% 89.5%

Title
An Act to enact pharmacy benefit manager duties

Introduction Date: 2023-02-16

Labels: Spread pricing Transparency and Disclosure

Description

By Representative Garballey of Arlington, a petition (accompanied by bill, House, No. 1016) of Sean Garballey relative to pharmacy benefit managers and the processing and payment of claims for prescription drugs. Financial Services.

Primary Sponsors
Sean Garballey

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	H 1055	Hearing Scheduled For 05 16 2023 From 10 00 Am 01 00 Pm In A 2 And Virtual 2023 05 02	In House	None	None	97.1% 85.1%

Title
An Act relative to pharmaceutical gag clauses

Introduction Date: 2023-02-16

Labels: Gag clause

Description

By Representative Jones of North Reading, a petition (accompanied by bill, House, No. 1055) of Bradley H. Jones, Jr., and others relative to contracts for pharmacy services between health insurance carriers or pharmacy benefits' managers and pharmacies or pharmacists. Financial Services.

Primary Sponsors
Brad Jones

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	H 1131	Hearing Scheduled For 05 16 2023 From 10 00 Am 01 00 Pm In A 2 And Virtual 2023 05 02	In House	None	None	96.4% 84.3%

Title
An Act relating to patient cost, benefit and coverage information, choice, and price transparency

Introduction Date: 2023-02-16

Labels: Patient Protections

Description

By Representative Roy of Franklin, a petition (accompanied by bill, House, No. 1131) of Jeffrey N. Roy relative to patient cost, benefit, and coverage information, choice, and price transparency. Financial Services.

Primary Sponsors
Jeff Roy

Transparency and Disclosure

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	H 1144	Hearing Scheduled For 05 16 2023 From 10 00 Am 01 00 Pm In A 2 And Virtual 2023 05 02	In House	None	None	94.0% 85.5%

Title
An Act relative to specialty medications and patient safety

Introduction Date: 2023-02-16

Labels: White baggings

Description
By Representative Santiago of Boston, a petition (accompanied by bill, House, No. 1144) of Jon Santiago relative to specialty medications and patient safety. Financial Services.

Primary Sponsors
Jon Santiago

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	H 1147	Hearing Rescheduled To 05 02 2023 From 10 00 Am 01 00 Pm In Gardner Auditorium 2023 04 28	In House	None	None	94.4% 77.8%

Title
An Act ensuring access to specialty medications

Introduction Date: 2023-02-16

Labels: Any willing provider specialty drug

Description
By Representative Sena of Acton, a petition (accompanied by bill, House, No. 1147) of Danillo A. Sena and Paul McMurtry relative to access to specialty medications. Financial Services.

Primary Sponsors
Dan Sena

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	H 1148	Hearing Scheduled For 05 16 2023 From 10 00 Am 01 00 Pm In A 2 And Virtual 2023 05 02	In House	None	None	94.9% 89.2%

Title
An Act relative to prescription drug pricing

Introduction Date: 2023-02-16

Labels: Accreditation requirements Appeal procedure
Decline to dispense Pharmacy Reimbursements

Description
By Representative Silvia of Fall River, a petition (accompanied by bill, House, No. 1148) of Alan Silvia relative to prescription drug pricing. Financial Services.

Primary Sponsors
Alan Silvia

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	H 1155	Hearing Scheduled For 05 16 2023 From 10 00 Am 01 00 Pm In A 2 And Virtual 2023 05 02	In House	None	None	95.1% 85.8%

Title
An Act to enact pharmacy benefit manager duties

Introduction Date: 2023-02-16

Labels: PBM enforcement Spread pricing

Description
By Representative Tyler of Boston, a petition (accompanied by bill, House, No. 1155) of Chynah Tyler relative to pharmacy benefit manager duties. Financial Services.

Primary Sponsors
Chynah Tyler

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	H 1215	Hearing Rescheduled To 06 06 2023 From 10 00 Am 04 00 Pm In A 2 2023 06 05	In House	None	None	95.8% 83.6%

Title
An Act relative to pharmacy benefit managers

Introduction Date: 2023-02-16

Labels: Appeal procedure Fair Pharmacy Audits

Description
By Representative Lawn of Watertown, a petition (accompanied by bill, House, No. 1215) of John J. Lawn, Jr., and others relative to pharmacy benefit managers. Health Care Financing.

Primary Sponsors
John Lawn

Gag clause PBM enforcement
Registration/Licensure Spread pricing
Transparency and Disclosure

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	H 1247	Hearing Rescheduled To 06 06 2023 From 10 00 Am 04 00 Pm In A 2 2023 06 05	In House	None	None	97.4% 79.6%

Title
An Act relative to pharmacy benefit managers
reimbursements to pharmacies in the Commonwealth

Introduction Date: 2023-02-16

Labels: Appeal procedure
Protections from under-reimbursement
Reimbursement to PBM-owned pharmacies

Description
By Representative Sullivan-Almeida of Abington, a petition (accompanied by bill, House, No. 1247) of Alyson M. Sullivan-Almeida, Michael J. Soter and David F. DeCoste relative to pharmacy benefit managers reimbursements to pharmacies in the Commonwealth. Health Care Financing.

Primary Sponsors
Alyson Sullivan-Almeida

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	HD 1190	Senate Concurred 2023 02 16	In House	None	None	94.0% 81.2%

Title

An Act to ensure access to generic medication

Introduction Date: 2023-02-16**Labels:** Appeal procedure PBM enforcement**Description**

By Representative Silvia of Fall River, a petition (accompanied by bill, House, No. 1150) of Alan Silvia relative to access to generic medications. Financial Services.

Primary Sponsors

Alan Silvia

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	HD 1404	Senate Concurred 2023 02 16	In House	None	None	93.9% 82.0%

Title

An Act relative to pharmacy benefit managers

Introduction Date: 2023-02-16**Description**

By Representative Lawn of Watertown, a petition (accompanied by bill, House, No. 1215) of John J. Lawn, Jr., and others relative to pharmacy benefit managers. Health Care Financing.

Primary Sponsors

John Lawn

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	HD 1493	Senate Concurred 2023 02 16	In House	None	None	96.1% 79.0%

Title

An Act to enact the pharmacy benefit manager compensation reform

Introduction Date: 2023-02-16**Description**

By Representative Ayers of Quincy, a petition (accompanied by bill, House, No. 934) of Bruce J. Ayers relative to pharmacy benefit manager insurance compensation reform. Financial Services.

Primary Sponsors

Bruce Ayers

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	HD 1974	Senate Concurred 2023 02 16	In House	None	None	97.2% 82.6%

Title

An Act relative to pharmaceutical gag clauses

Introduction Date: 2023-02-16**Description**

By Representative Jones of North Reading, a petition (accompanied by bill, House, No. 1055) of Bradley H. Jones, Jr., and others relative to contracts for pharmacy services between health insurance carriers or pharmacy benefits' managers and pharmacies or pharmacists. Financial Services.

Primary Sponsors

Brad Jones

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	HD 2156	Senate Concurred 2023 02 16	In House	None	None	97.8% 77.5%

Title Introduction Date: 2023-02-16
An Act ensuring access to specialty medications

Description
By Representative Sena of Acton, a petition (accompanied by bill, House, No. 1147) of Danilo A. Sena and Paul McMurtry relative to access to specialty medications. Financial Services.

Primary Sponsors
Dan Sena

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	HD 2572	Senate Concurred 2023 02 16	In House	None	None	97.4% 77.6%

Title Introduction Date: 2023-02-16
An Act relative to pharmacy benefit managers reimbursements to pharmacies in the Commonwealth

Description
By Representative Sullivan-Almeida of Abington, a petition (accompanied by bill, House, No. 1247) of Alyson M. Sullivan-Almeida, Michael J. Soter and David F. DeCoste relative to pharmacy benefit managers reimbursements to pharmacies in the Commonwealth. Health Care Financing.

Primary Sponsors
Alyson Sullivan-Almeida

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	HD 2602	Senate Concurred 2023 02 16	In House	None	None	94.4% 83.3%

Title Introduction Date: 2023-02-16
An Act to enact pharmacy benefit manager duties

Description
By Representative Garballey of Arlington, a petition (accompanied by bill, House, No. 1016) of Sean Garballey relative to pharmacy benefit managers and the processing and payment of claims for prescription drugs. Financial Services.

Primary Sponsors
Sean Garballey

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	HD 3722	Senate Concurred 2023 02 16	In House	None	None	94.4% 79.5%

Title Introduction Date: 2023-02-16
An Act to enact pharmacy benefit manager duties

Description
By Representative Tyler of Boston, a petition (accompanied by bill, House, No. 1155) of Chynah Tyler relative to pharmacy benefit manager duties. Financial Services.

Primary Sponsors
Chynah Tyler

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	S 601	Hearing Scheduled For 05 16 2023 From 10 00 Am 01 00 Pm In A 2 And Virtual 2023 05 02	In Senate	None	None	6.0% 86.5%

Title

An Act prohibiting self-dealing by pharmacy benefit managers and pharmacies under common ownership

Introduction Date: 2023-02-16**Labels:** Patient steering**Description**

By Ms. Creem, a petition (accompanied by bill, Senate, No. 601) of Cynthia Stone Creem for legislation relative to pharmacy benefit managers. Financial Services.

Primary Sponsors

Cindy Creem

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	S 616	Hearing Scheduled For 05 16 2023 From 10 00 Am 01 00 Pm In A 2 And Virtual 2023 05 02	In Senate	None	None	5.7% 88.2%

Title

An Act relating to patient cost, benefit and coverage information, choice, and price transparency

Introduction Date: 2023-02-16**Labels:** Patient Protections

Transparency and Disclosure

Description

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 616) of Julian Cyr for legislation relative to patient cost, benefit and coverage information, choice, and price transparency. Financial Services.

Primary Sponsors

Julian Cyr

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	S 656	Hearing Scheduled For 05 16 2023 From 10 00 Am 01 00 Pm In A 2 And Virtual 2023 05 02	In Senate	None	None	3.6% 86.8%

Title

An Act to reduce the cost of pharmacy benefits

Introduction Date: 2023-02-16**Labels:** Accreditation requirements Patient steering

Rebates

Transparency and Disclosure

Description

By Ms. Jehlen, a petition (accompanied by bill, Senate, No. 656) of Patricia D. Jehlen for legislation to reduce the cost of pharmacy benefits. Financial Services.

Primary Sponsors

Pat Jehlen

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	S 714	Hearing Scheduled For 05 16 2023 From 10 00 Am 01 00 Pm In A 2 And Virtual 2023 05 02	In Senate	None	None	3.6% 91.6%

Title
An Act relative to pharmaceutical "gag clauses"

Introduction Date: 2023-02-16

Labels: Gag clause

Description
By Mr. Tarr, a petition (accompanied by bill, Senate, No. 714) of Bruce E. Tarr for legislation relative to pharmaceutical "gag clauses". Financial Services.

Primary Sponsors
Bruce Tarr

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	S 715	Hearing Rescheduled To 05 02 2023 From 10 00 Am 01 00 Pm In Gardner Auditorium 2023 04 28	In Senate	None	None	5.8% 88.7%

Title
An Act to ensure access to prescription medications

Introduction Date: 2023-02-16

Labels: Medicaid Reimbursement Floor

Description
By Mr. Tarr, a petition (accompanied by bill, Senate, No. 715) of Bruce E. Tarr for legislation to ensure access to prescription medications. Financial Services.

Primary Sponsors
Bruce Tarr

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	S 749	Hearing Rescheduled To 06 06 2023 From 10 00 Am 04 00 Pm In A 2 2023 06 05	In Senate	None	None	9.5% 90.0%

Title
An Act relative to pharmaceutical access, costs and transparency

Introduction Date: 2023-02-16

Labels: Drug Pricing Pharmacy Reimbursements
Registration/Licensure

Description
By Ms. Friedman, a petition (accompanied by bill, Senate, No. 749) of Cindy F. Friedman, Rebecca L. Rausch, Susannah M. Whipps, Joanne M. Comerford and other members of the General Court for legislation relative to pharmaceutical access, costs and transparency. Health Care Financing.

Primary Sponsors
Cindy Friedman

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	SD 90	House Concurred 2023 02 16	In Senate	None	None	3.6% 93.1%

Title Introduction Date: 2023-02-16

An Act relative to pharmaceutical "gag clauses"

Description

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 714) of Bruce E. Tarr for legislation relative to pharmaceutical "gag clauses". Financial Services.

Primary Sponsors

Bruce Tarr

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	SD 901	House Concurred 2023 02 16	In Senate	None	None	2.4% 87.4%

Title Introduction Date: 2023-02-16

An Act to reduce the cost of pharmacy benefits

Description

By Ms. Jehlen, a petition (accompanied by bill, Senate, No. 656) of Patricia D. Jehlen for legislation to reduce the cost of pharmacy benefits. Financial Services.

Primary Sponsors

Pat Jehlen

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MA	SD 1293	House Concurred 2023 02 16	In Senate	None	None	2.2% 92.7%

Title Introduction Date: 2023-02-16

An Act prohibiting self-dealing by pharmacy benefit managers and pharmacies under common ownership

Description

By Ms. Creem, a petition (accompanied by bill, Senate, No. 601) of Cynthia Stone Creem for legislation relative to pharmacy benefit managers. Financial Services.

Primary Sponsors

Cindy Creem

State	Bill Number	Last Action	Status	Position	Priority
MD	HB 357	Hearing 3 29 At 1 00 P M 2023 03 21	Failed sine die	None	High

Title

Pharmacy Benefits Managers - Definition of Purchaser and Alteration of Application of Law

Introduction Date: 2023-01-26

Labels: ERISA

Description

Altering the definition of "purchaser" for the purpose of certain provisions of State insurance law governing pharmacy benefits managers to exclude certain nonprofit health maintenance organizations; and repealing certain provisions that restrict applicability of certain provisions of law to pharmacy benefits managers that provide pharmacy benefits management services on behalf of a carrier.

Primary Sponsors

Nic Kipke, Tiffany Alston, Heather Bagnall, Brian Chisholm, Bonnie Cullison, Terri Hill, Tom Hutchinson, Steve Johnson, Anne Kaiser, Ken Kerr, Robbyn Lewis, Lesley Lopez, Ashanti Martinez, Matt Morgan, Josie Pena-Melnyk, Sandy Rosenberg, Kathy Szeliga, Deni Taveras, Jennifer White, Jamila Woods, Bh, ari, Guzzone, Reilly

State	Bill Number	Last Action	Status	Position	Priority
MD	HB 374	Approved By The Governor Chapter 355 2023 05 03	Enacted	None	None

Title

Health Insurance - Pharmacy Benefits Managers - Audits of Pharmacies and Pharmacists

Introduction Date: 2023-01-26

Labels: Fair Pharmacy Audits

Description

Requiring the Secretary of Health to adopt regulations for pharmacy benefits managers that contract with managed care organizations that establish requirements for conducting audits of pharmacies or pharmacists; establishing requirements and prohibitions regarding audits by certain pharmacy benefits managers, including provisions related to audit limits, acceptance of certain documents as proof, recoupment of funds or charging of fees for prescriptions of unbreakable package sizes, and access to financial documentation; etc.

Primary Sponsors

Nic Kipke, Tiffany Alston, Heather Bagnall, Brian Chisholm, Bonnie Cullison, Terri Hill, Tom Hutchinson, Steve Johnson, Anne Kaiser, Ken Kerr, Robbyn Lewis, Lesley Lopez, Ashanti Martinez, Matt Morgan, Josie Pena-Melnyk, Sandy Rosenberg, Kathy Szeliga, Deni Taveras, Jennifer White, Jamila Woods, Bh, ari, Guzzone, Reilly

State	Bill Number	Last Action	Status	Position	Priority
MD	HB 382	Approved By The Governor Chapter 217 2023 04 24	Enacted	None	High

Title

Maryland Department of Health and Prescription Drug Affordability Board - Managed Care Organizations and Prescription Drug Claims - Study

Introduction Date: 2023-01-26

Labels: Medicaid Reimbursement Floor NADAC+

Description

Requiring the Maryland Department of Health and the Prescription Drug Affordability Board jointly to study certain information regarding the payment of prescription drug claims under the Maryland Medical Assistance Program during calendar years 2021 and 2022 and how to address certain inconsistencies; and requiring the Department and the Board to report the findings of the study to the Maryland Medicaid Administration and certain committees of the General Assembly by October 31, 2023.

Primary Sponsors

Nic Kipke, Tiffany Alston, Heather Bagnall, Brian Chisholm, Bonnie Cullison, Terri Hill, Tom Hutchinson, Steve Johnson, Anne Kaiser, Ken Kerr, Robbyn Lewis, Lesley Lopez, Ashanti Martinez, Matt Morgan, Josie Pena-Melnyk, Sandy Rosenberg, Kathy Szeliga, Deni Taveras, Jennifer White, Jamila Woods, Bh, ari, Guzzone, Reilly

State	Bill Number	Last Action	Status	Position	Priority
MD	HB 539	Withdrawn By Sponsor 2023 03 16	Failed sine die	None	None

Title

Pharmacy Benefits Managers - Prohibited Actions

Introduction Date: 2023-02-01

Labels: Any willing provider
Reimbursement to PBM-owned pharmacies
Spread pricing

Description

Prohibiting a pharmacy benefits manager from taking certain actions related to pricing, the participation of a pharmacy or pharmacist in a policy or contract with the pharmacy benefits manager, fees, and the use of a mail order pharmacy by beneficiaries; providing that certain provisions of the Act apply to pharmacy benefits managers that contract with managed care organizations in the same manner as they apply to pharmacy benefits managers that contract with carriers; etc.

Primary Sponsors

Matt Morgan, Nic Kipke

State	Bill Number	Last Action	Status	Position	Priority
MD	HB 650	Hearing 3 02 At 1 00 P M 2023 02 13	Failed sine die	None	None

Title

Health Insurance - Reimbursement and Use of Specific Pharmacies and Dispensaries - Prohibitions

Introduction Date: 2023-02-06**Labels:** Any willing provider Patient choice

Reimbursement to PBM-owned pharmacies

specialty drug

specialty pharmacy

Description

Specifying that certain entities are not precluded from recommending, rather than requiring, a specialty drug be obtained through a certain pharmacy or dispensary; providing that certain entities may not prohibit a subscriber, member, or beneficiary from choosing to obtain a certain specialty drug from a pharmacy or dispensary that meets certain requirements; prohibiting certain entities from taking certain action against certain pharmacies or dispensaries; etc.

Primary Sponsors

Steve Johnson, Andre Johnson

State	Bill Number	Last Action	Status	Position	Priority
MD	SB 398	Hearing 2 15 At 1 00 P M 2023 02 01	Failed sine die	None	None

Title

Health Insurance - Reimbursement and Use of Specific Pharmacies and Dispensaries - Prohibitions

Introduction Date: 2023-02-01**Labels:** Patient steering Provider networks**Description**

Specifying that certain entities are not precluded from recommending, rather than requiring, a specialty drug be obtained through a certain pharmacy or dispensary; providing that certain entities may not prohibit a subscriber, member, or beneficiary from choosing to obtain a certain specialty drug from a pharmacy or dispensary that meets certain requirements; prohibiting certain entities from taking certain action against certain pharmacies or dispensaries; etc.

Primary Sponsors

Clarence Lam, Brian Feldman

State	Bill Number	Last Action	Status	Position	Priority
MD	SB 565	Hearing Canceled 2023 03 20	Failed sine die	None	None

Title

Health Insurance - Pharmacy Benefits Managers - Audits of Pharmacies and Pharmacists

Introduction Date: 2023-02-06**Labels:** Fair Pharmacy Audits**Description**

Expanding the applicability of the provisions regarding audits of a pharmacy or pharmacist to all pharmacy benefits managers; establishing requirements and prohibitions regarding audits by pharmacy benefits managers, including provisions related to audit limits, the acceptance of certain documents as validation or proof, the charging and payment of fees, access to financial documentation, and audit documentation; etc.

Primary Sponsors

Justin Ready, Kathy Klausmeier

State	Bill Number	Last Action	Status	Position	Priority
MD	SB 896	Hearing Canceled 2023 03 20	Failed sine die	None	None

Title

Pharmacy Benefits Managers - Prohibited Actions

Introduction Date: 2023-02-15**Description**

Prohibiting a pharmacy benefits manager from taking certain actions related to pricing, the participation of a pharmacy or pharmacist in a policy or contract with the pharmacy benefits manager, fees, and the use of a mail order pharmacy by beneficiaries; providing that certain provisions of the Act apply to pharmacy benefits managers that contract with managed care organizations in the same manner as they apply to pharmacy benefits managers that contract with carriers; etc.

Labels:

Mail-order

Patient steering

Reimbursement to PBM-owned pharmacies

Spread pricing

Primary Sponsors

Justin Ready, Kathy Klausmeier

State	Bill Number	Last Action	Status	Position	Priority
MD	SB 898	Hearing Canceled 2023 03 20	Failed sine die	None	None

Title

Pharmacy Benefits Managers - Definitions of Carrier, ERISA, and Purchaser

Introduction Date: 2023-02-15**Description**

Repealing the definitions of "carrier" and "ERISA" and altering the definition of "purchaser" for the purpose of applying certain provisions of State insurance law governing pharmacy benefits managers to certain persons that provide prescription drug coverage or benefits in the State through plans or programs subject to ERISA; and repealing a certain provision that restricts applicability of certain provisions of law to pharmacy benefits managers that provide pharmacy benefits management services on behalf of a carrier.

Primary Sponsors

Justin Ready, Kathy Klausmeier

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MI	HB 4276	Bill Electronically Reproduced 03 14 2023 2023 03 15	In House	None	None	34.8% 67.7%

Title

Human services: medical services; Medicaid managed care contract with pharmacy benefit manager; regulate, and require reporting. Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding secs. 105i & 105j.

Introduction Date: 2023-03-14**Primary Sponsors**

Alabas Farhat

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MN	HF 544	Committee Report To Adopt As Amended And Re Refer To Commerce Finance And Policy 2023 03 08	In House	None	None	2.3% 0.0%

Title

Pharmacy benefit manager and health carrier requirements established related to clinician-administered drugs.

Introduction Date: 2023-01-19**Labels:** White baggings**Primary Sponsors**

Mike Freiberg, Liz Olson, Kristin Bahner, Carlie Kotyza-Witthuhn, Brion Curran

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MN	HF 1711	Committee Report To Adopt And Re Refer To Commerce Finance And Policy 2023 03 08	In House	None	None	4.6% 0.0%

Title

Pharmacy benefit managers and health carriers required to use prescription drug rebates and other compensation to benefit covered persons, and report required.

Introduction Date: 2023-02-13**Labels:** Patient Protections Rebates**Primary Sponsors**

Steve Elkins, Kristin Bahner

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MN	SF 168	Comm Report To Pass As Amended And Re Refer To Judiciary And Public Safety 2023 03 27	In Senate	None	None	66.4% 0.0%

Title

Excessive price increases by manufacturers prohibition to generic or off-patent drugs

Introduction Date: 2023-01-11**Labels:** Drug Pricing Rx Affordability Board**Primary Sponsors**

Kelly Morrison, Alice Mann, Liz Boldon, Omar Fateh, John Hoffman

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MN	SF 246	Referred To Health And Human Services 2023 01 12	In Senate	None	None	5.8% 0.0%

Title

Pharmacy benefit manager business practices modification; pharmacy benefit manager general reimbursement practices establishment; maximum allowable cost pricing requirements modification

Introduction Date: 2023-01-12**Primary Sponsors**

Rich Draheim

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MN	SF 1319	Referred To Health And Human Services 2023 02 06	In Senate	None	None	33.7% 0.0%

Title

Health carrier enrollee reception of any rebates and discounts accrued directly or indirectly to health carriers requirement

Introduction Date: 2023-02-06**Labels:** Rebates**Primary Sponsors**

Carla Nelson, Matt Klein

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
MN	SF 2889	Referred To Health And Human Services 2023 03 14	In Senate	None	None	4.6% 0.0%

Title

Pharmacy benefit managers and health carriers requirement to use prescription drug rebates and other compensation to benefit covered persons

Introduction Date: 2023-03-14**Labels:** Transparency and Disclosure**Primary Sponsors**

Melissa Wiklund

State	Bill Number	Last Action	Status	Position	Priority
MO	HB 197	Reported Do Not Pass H 2023 05 05	Failed sine die	None	High

Title

PAYMENTS FOR PRESCRIPTION DRUGS

Introduction Date: 2023-01-04**Labels:** 340B Fiduciary duty PBM enforcement Protections from under-reimbursement Rebates Reimbursement to PBM-owned pharmacies Transparency and Disclosure**Description**

Creates provisions relating to payments for prescription drugs

Primary Sponsors

Dale Wright

State	Bill Number	Last Action	Status	Position	Priority
MO	HB 198	Dropped From Calendar Pursuant To House Rules H 2023 05 05	Failed sine die	None	None

Title

PHARMACY SERVICES INSURANCE COVERAGE

Introduction Date: 2023-01-04**Labels:** White baggings**Description**

Creates provisions relating to insurance coverage of pharmacy services

Primary Sponsors

Dale Wright

State	Bill Number	Last Action	Status	Position	Priority
MO	SB 402	Second Read And Referred S Insurance And Banking Committee 2023 03 02	Failed sine die	None	None

Title

Enacts provisions relating to payments for prescription drugs

Introduction Date: 2023-01-04**Labels:** ERISA Rebates Transparency and Disclosure**Primary Sponsors**

Mike Bernskoetter

State	Bill Number	Last Action	Status	Position	Priority
MO	SB 426	Second Read And Referred S Insurance And Banking Committee 2023 03 02	Failed sine die	None	None

Title

Enacts provisions relating to payments for prescription drugs

Introduction Date: 2023-01-04

Labels: 340B

Primary Sponsors

Karla Eslinger

State	Bill Number	Last Action	Status	Position	Priority
MO	SB 679	Second Read And Referred S Insurance And Banking Committee 2023 04 06	Failed sine die	None	None

Title

Enacts provisions relating to payments for prescription drugs

Introduction Date: 2023-02-27

Labels: 340B

Primary Sponsors

Curtis Trent

Title

Pharmacy Benefit Prompt Pay Act; revise various provisions of.

Introduction Date: 2023-01-16

Labels: NADAC+ PSAOs

Description

An Act To Amend Section 73-21-153, Mississippi Code Of 1972, To Define New Terms Under The Pharmacy Benefit Prompt Pay Act; To Create New Section 73-21-154, Mississippi Code Of 1972, To Prohibit Health Insurance Issuers And Pharmacy Benefit Managers From Certain Discriminatory Practices Relating To Entities Participating In The Federal 340B Drug Discount Program; To Amend Section 73-21-155, Mississippi Code Of 1972, To Prohibit Pharmacy Benefit Managers From Reimbursing A Pharmacy Or Pharmacist For A Prescription Drug Or Pharmacist Service In A Net Amount Less Than The National Average Drug Acquisition Cost For The Prescription Drug Or Pharmacist Service In Effect At The Time The Drug Or Service Is Administered Or Dispensed, Plus A Professional Dispensing Fee; To Amend Section 73-21-156, Mississippi Code Of 1972, To Require Pharmacy Benefit Managers To Provide A Reasonable Administrative Appeal Procedure To Allow Pharmacies To Challenge A Reimbursement For A Specific Drug Or Drugs As Being Below The Reimbursement Rate Required By The Preceding Provision; To Provide That If The Appeal Is Upheld, The Pharmacy Benefit Manager Shall Make The Change In The Payment To The Required Reimbursement Rate; To Amend Sections 73-21-157 And 73-21-159, Mississippi Code Of 1972, To Provide For The Licensing And Regulation Of Pharmacy Services Administrative Organizations By The State Board Of Pharmacy; To Amend Section 73-21-161, Mississippi Code Of 1972, To Prohibit Pharmacies, Pharmacy Benefit Managers And Pharmacy Benefit Manager Affiliates From Ordering A Patient To Use An Affiliate Pharmacy Of Another Pharmacy Benefit Manager, Or Offering Or Implementing Plan Designs That Penalize A Patient When A Patient Chooses Not To Use An Affiliate Pharmacy Or The Affiliate Pharmacy Of Another Pharmacy Benefit Manager, Or Interfering With The Patient'S Right To Choose The Patient'S Pharmacy Or Provider Of Choice; To Create New Section 73-21-162, Mississippi Code Of 1972, To Prohibit Pharmacy Benefit Managers And Pharmacy Benefit Manager Affiliates From Penalizing Or Retaliating Against A Pharmacist, Pharmacy Or Pharmacy Employee For Exercising Any Rights Under This Act, Initiating Any Judicial Or Regulatory Actions, Or Appearing Before Any Governmental Agency, Legislative Member Or Body Or Any Judicial Authority; To Amend Section 73-21-163, Mississippi Code Of 1972, To Authorize The Board Of Pharmacy To Bring Injunctive Actions And Impose Monetary Penalties On Pharmacy Services Administrative Organizations For Noncompliance With The Pharmacy Benefit Prompt Pay Act; To Amend Sections 73-21-83 And 73-21-91, Mississippi Code Of 1972, To Conform To The Preceding Provisions; And For Related Purposes.

Primary Sponsors

William Arnold

State	Bill Number	Last Action	Status	Position	Priority
MS	HB 992	Died In Committee 2023 01 31	Failed	None	None

Title

Medicaid; bring forward services and managed care provisions.

Introduction Date: 2023-01-16

Description

An Act To Bring Forward Section 43-13-117, Mississippi Code Of 1972, Which Provides The Services And Managed Care Provisions In The Medicaid Program, For The Purposes Of Possible Amendment; And For Related Purposes.

Primary Sponsors

Joey Hood

Title

Pharmacy Benefits Prompt Pay Act; revise various provisions of.

Introduction Date: 2023-01-16**Description**

An Act To Amend Section 73-21-153, Mississippi Code Of 1972, To Define New Terms And Revise The Definitions Of Existing Terms Under The Pharmacy Benefit Prompt Pay Act; To Create New Section 73-21-154, Mississippi Code Of 1972, To Prohibit Health Insurance Issuers And Pharmacy Benefit Managers From Certain Discriminatory Practices Relating To Entities Participating In The Federal 340B Drug Discount Program; To Amend Section 73-21-155, Mississippi Code Of 1972, To Prohibit Pharmacy Benefit Managers From Reimbursing A Pharmacy Or Pharmacist For A Prescription Drug Or Pharmacist Service In A Net Amount Less Than The National Average Drug Acquisition Cost For The Prescription Drug Or Pharmacist Service In Effect At The Time The Drug Or Service Is Administered Or Dispensed, Plus A Professional Dispensing Fee; To Amend Section 73-21-156, Mississippi Code Of 1972, To Require Pharmacy Benefit Managers To Provide A Reasonable Administrative Appeal Procedure To Allow Pharmacies To Challenge A Reimbursement For A Specific Drug Or Drugs As Being Below The Reimbursement Rate Required By The Preceding Provision; To Provide That If The Appeal Is Upheld, The Pharmacy Benefit Manager Shall Make The Change In The Payment To The Required Reimbursement Rate; To Amend Section 73-21-157, Mississippi Code Of 1972, To Require A Pharmacy Services Administrative Organization To Provide To A Pharmacy Or Pharmacist A Copy Of Any Contract Entered Into On Behalf Of The Pharmacy Or Pharmacist By The Pharmacy Services Administrative Organization; To Create New Section 73-21-158, Mississippi Code Of 1972, To Require Pharmacy Benefit Managers To Pass On To The Plan Sponsor All Rebates And Payments That It Receives From Pharmaceutical Manufacturers In Connection With Claims Administered On Behalf Of The Plan Sponsor; To Require Pharmacy Benefit Managers To Report Annually To Each Plan Sponsor The Aggregate Amount Of All Rebates And Other Payments That The Pharmacy Benefit Manager Received From Pharmaceutical Manufacturers In Connection With Claims Administered On Behalf Of The Plan Sponsor; To Amend Section 73-21-161, Mississippi Code Of 1972, To Prohibit Pharmacies, Pharmacy Benefit Managers And Pharmacy Benefit Manager Affiliates From Ordering A Patient To Use An Affiliate Pharmacy Of Another Pharmacy Benefit Manager, Or Offering Or Implementing Plan Designs That Penalize A Patient When A Patient Chooses Not To Use An Affiliate Pharmacy Or The Affiliate Pharmacy Of Another Pharmacy Benefit Manager, Or Interfering With The Patient'S Right To Choose The Patient'S Pharmacy Or Provider Of Choice; To Create New Section 73-21-162, Mississippi Code Of 1972, To Prohibit Pharmacy Benefit Managers And Pharmacy Benefit Manager Affiliates From Penalizing Or Retaliating Against A Pharmacist, Pha... (click bill link to see more).

Primary Sponsors

Sam Mims

State	Bill Number	Last Action	Status	Position	Priority
MS	HB 1298	Died In Committee 2023 01 31	Failed	None	None

Title

Pharmacy benefit managers; require to use national average drug acquisition cost.

Introduction Date: 2023-01-16**Description**

An Act To Require Pharmacy Benefit Managers To Utilize And Adhere To The National Average Drug Acquisition Cost That Appears On The National Average Drug Acquisition Cost List When Determining The Ingredient Drug Product Component Of A Pharmacy'S Reimbursement For Drugs; To Prohibit A Pharmacy Benefit Manager From Paying Or Reimbursing A Pharmacy Or Pharmacist For The Ingredient Drug Product Component Of Pharmacist Services In An Amount That Is Less Than The National Average Drug Acquisition Cost; To Bring Forward Sections 73-21-156, 73-21-153, 73-21-155, 73-21-157, 73-21-159, 73-21-161, 73-21-163, 83-9-6 And 83-9-6.4, Mississippi Code Of 1972, Which Relate To The Pharmacy Benefit Prompt Pay Act And Accident And Health Insurance, For Purposes Of Possible Amendment; And For Related Purposes.

Primary Sponsors

Stacey Wilkes

State	Bill Number	Last Action	Status	Position	Priority
MS	HB 1299	Died In Committee 2023 02 28	Failed	None	None

Title

Pharmacy benefit managers; require to make available to the public, without redaction, contracts relating to pharmacy benefit management services.

Introduction Date: 2023-01-16**Labels:** Appeal procedure Fair Pharmacy AuditsPBM enforcement Prompt payProtections from under-reimbursementProvider networks PSAOsReimbursement to PBM-owned pharmaciesRetroactive claims adjustments**Description**

An Act To Require Pharmacy Benefit Managers To Make Available To The Public Upon Request, And Without Redaction, Third Party Aggregator Contracts And Contracts Relating To Pharmacy Benefit Management Services Between A Pharmacy Benefit Manager And Any Entity, And Contracts With Pharmacy Services Administrative Organizations; To Provide That Only Those Contracts Where The State Of Mississippi Or A Political Subdivision Of The State Is A Party To The Third Party Aggregator Contract Or The Contract Relating To Pharmacy Benefit Management Services Or With A Pharmacy Services Administrative Organization Shall Be Required To Be Made Public; To Amend Section 73-21-153, Mississippi Code Of 1972, To Remove The Exemption For The Mississippi State And School Employees Health Insurance Plan And The Mississippi Division Of Medicaid Or Its Contractors When Performing Pharmacy Benefit Manager Services For The Division Of Medicaid In The Definition Of "Pharmacy Benefit Manager"; To Bring Forward Sections 73-21-155, 73-21-156, 73-21-157, 73-21-159, 73-21-161 And 73-21-163, Mississippi Code Of 1972, Which Relate To The Pharmacy Benefit Prompt Pay Act, For Purposes Of Possible Amendment; To Bring Forward Sections 73-21-177, 73-21-179, 73-21-181, 73-21-183, 73-21-185, 73-21-187, 73-21-189 And 73-21-191, Mississippi Code Of 1972, Which Relate To The Pharmacy Audit Integrity Act, For Purposes Of Possible Amendment; And For Related Purposes.

Primary Sponsors

Lee Yancey

Title

Pharmacy Benefit Manager; revise certain requirements of.

Description

An Act To Amend Section 73-21-153, Mississippi Code Of 1972, To Define New Terms And Revise The Definitions Of Existing Terms Under The Pharmacy Benefit Prompt Pay Act; To Create New Section 73-21-154, Mississippi Code Of 1972, To Prohibit Health Insurance Issuers And Pharmacy Benefit Managers From Certain Discriminatory Practices Relating To Entities Participating In The Federal 340B Drug Pricing Program; To Amend Section 73-21-155, Mississippi Code Of 1972, To Prohibit Pharmacy Benefit Managers From Reimbursing A Pharmacy Or Pharmacist For A Prescription Drug Or Pharmacist Service In A Net Amount Less Than The National Average Drug Acquisition Cost For The Prescription Drug Or Pharmacist Service In Effect At The Time The Drug Or Service Is Administered Or Dispensed, Plus A Professional Dispensing Fee; To Amend Section 73-21-156, Mississippi Code Of 1972, To Require Pharmacy Benefit Managers To Provide A Reasonable Administrative Appeal Procedure To Allow Pharmacies To Challenge A Reimbursement For A Specific Drug Or Drugs As Being Below The Reimbursement Rate Required By The Preceding Provision; To Provide That If The Appeal Is Upheld, The Pharmacy Benefit Manager Shall Make The Change In The Payment To The Required Reimbursement Rate; To Amend Section 73-21-157, Mississippi Code Of 1972, To Require A Pharmacy Services Administrative Organization To Provide To A Pharmacy Or Pharmacist A Copy Of Any Contract Entered Into On Behalf Of The Pharmacy Or Pharmacist By The Pharmacy Services Administrative Organization; To Create New Section 73-21-158, Mississippi Code Of 1972, To Require Pharmacy Benefit Managers To Pass On To The Plan Sponsor All Rebates And Payments That It Receives From Pharmaceutical Manufacturers In Connection With Claims Administered On Behalf Of The Plan Sponsor; To Require Pharmacy Benefit Managers To Report Annually To Each Plan Sponsor The Aggregate Amount Of All Rebates And Other Payments That The Pharmacy Benefit Manager Received From Pharmaceutical Manufacturers In Connection With Claims Administered On Behalf Of The Plan Sponsor; To Amend Section 73-21-161, Mississippi Code Of 1972, To Prohibit Pharmacies, Pharmacy Benefit Managers And Pharmacy Benefit Manager Affiliates From Ordering A Patient To Use An Affiliate Pharmacy Of Another Pharmacy Benefit Manager, Or Offering Or Implementing Plan Designs That Penalize A Patient When A Patient Chooses Not To Use An Affiliate Pharmacy Or The Affiliate Pharmacy Of Another Pharmacy Benefit Manager, Or Interfering With The Patient'S Right To Choose The Patient'S Pharmacy Or Provider Of Choice; To Create New Section 73-21-162, Mississippi Code Of 1972, To Prohibit Pharmacy Benefit Managers And Pharmacy Benefit Manager Affiliates From Penalizing Or Retaliating Against A Pharmacist, Phar... (click bill link to see more).

Primary Sponsors

Rita Parks

Introduction Date: 2023-01-16

Labels:

340B

Appeal procedure

NADAC+

Patient choice

Patient steering

PBM enforcement

Provider networks

PSAOs

Rebates

Spread pricing

Transparency and Disclosure

State	Bill Number	Last Action	Status	Position	Priority
MT	HB 156	Chapter Number Assigned 2023 04 19	Enacted	None	None

Title **Introduction Date:** 2023-01-02

Generally revise laws enforced by the State Auditor

Labels: PSAOs

Primary Sponsors

Ed Buttrey, State Auditor by Economic Affairs Interim Committee, State Auditor

State	Bill Number	Last Action	Status	Position	Priority
MT	HB 379	Chapter Number Assigned 2023 04 26	Enacted	None	None

Title **Introduction Date:** 2023-02-01

Revise laws related to pharmacy benefit managers

Labels: 340B

Primary Sponsors

Tom Welch

State	Bill Number	Last Action	Status	Position	Priority
MT	LC 2478	C Draft Died In Process 2023 05 02	Failed	None	None

Title **Introduction Date:** 2022-12-03

Generally revise health insurance laws related to pharmacy benefit managers

Primary Sponsors

Ross Fitzgerald

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NC	HB 246	Ref To Com On Rules And Operations Of The Senate 2023 05 01	In Senate	Support	High	18.4% 84.7%

Title **Introduction Date:** 2023-03-01

Revise Pharmacy Benefits Manager Provisions.

Labels: Co-pay accumulator NADAC+

Primary Sponsors

Wayne Sasser, John Bell, Hugh Blackwell, Chris Humphrey

Patient steering Rebates

Reimbursement to PBM-owned pharmacies

specialty pharmacy Spread pricing

State	Bill Number	Last Action	Status	Position	Priority
ND	HB 1413	Filed With Secretary Of State 05 05 2023 05 18	Enacted	None	None

Title **Introduction Date:** 2023-01-16

AN ACT to provide for a legislative management study relating to accumulator adjustment programs.

Labels: Co-pay accumulator

Description

AN ACT to provide for a legislative management study relating to accumulator adjustment programs.

Primary Sponsors

Karen Karls, Dick Dever, Dwight Kiefert, Karen Rohr, Bernie Satrom, Vicky Steiner

State	Bill Number	Last Action	Status	Position	Priority
ND	SB 2378	Filed With Secretary Of State 04 05 2023 04 07	Enacted	None	None

Title

AN ACT to create and enact a new section to chapter 19-02.1 of the North Dakota Century Code, relating to clinician-administered drugs.

Introduction Date: 2023-01-23**Labels:** White baggings**Description**

AN ACT to create and enact a new section to chapter 19-02.1 of the North Dakota Century Code, relating to clinician-administered drugs.

Primary Sponsors

Scott Meyer, Jim Kasper, Jerry Klein, Mike Lefor, Corey Mock, Karen Rohr

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NE	LB 778	Notice Of Hearing For March 21 2023 2023 01 23	In Legislature	None	None	0.0% 0.0%

Title

LB778 - Change the Pharmacy Benefit Manager Licensure and Regulation Act

Introduction Date: 2023-01-18**Labels:** Accreditation requirements Appeal procedure**Primary Sponsors**

Eliot Bostar

Patient steering PBM enforcementProtections from under-reimbursementReimbursement to PBM-owned pharmaciesSpread pricing

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NH	HB 383	Rescheduled Subcommittee Work Session 09 20 2023 01 15 Pm Lob 302 304 Hc 36 2023 09 06	In House	None	None	34.9% 43.1%

Title

relative to provider contract standards for pharmacy benefit managers.

Introduction Date: 2023-01-09**Labels:** Appeal procedure**Primary Sponsors**

David Rochefort

Protections from under-reimbursement

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NH	HB 513	Rescheduled Subcommittee Work Session 09 20 2023 01 15 Pm Lob 302 304 Hc 36 2023 09 06	In House	None	None	13.6% 39.0%

Title

relative to affordability and safety of clinician administered drugs.

Introduction Date: 2023-01-11**Labels:** White baggings**Primary Sponsors**

Tim McGough

State	Bill Number	Last Action	Status	Position	Priority
NJ	A 536	Approved P L 2023 C 107 2023 07 10	Enacted	Support	High

Title

Establishes new transparency standards for pharmacy benefits manager business practices. *

Introduction Date: 2022-01-11**Labels:** Appeal procedure Patient ProtectionsPBM enforcementPSAOsRegistration/LicensureRx Affordability BoardSpread pricing**Primary Sponsors**

Roy Freiman, John McKeon, Gabby Mosquera, Joe Danielsen, Dan Benson, Verlina Reynolds-Jackson, Angela McKnight, Joe Vitale, Troy Singleton, Nellie Pou, Vin Gopal

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	A 554	Introduced Referred To Assembly Financial Institutions And Insurance Committee 2022 01 11	In Assembly	Support	High	3.1% 81.3%

Title

Prohibits pharmacy benefits managers from requiring covered persons to use mail service pharmacies.

Introduction Date: 2022-01-11**Labels:** Mail-order**Primary Sponsors**

Rob Karabinchak

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	A 1534	Introduced Referred To Assembly Health Committee 2022 01 11	In Assembly	None	None	3.6% 82.9%

Title

Establishes Prescription Drug Review Commission; requires production costs be reported for certain prescription drugs.

Introduction Date: 2022-01-11**Primary Sponsors**

Paul Moriarty, Joe Danielsen, Shama Haider

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	A 1745	Introduced Referred To Assembly Financial Institutions And Insurance Committee 2022 01 11	In Assembly	None	None	5.7% 85.2%

Title

Requires carriers to pass prescription drug savings to consumers.

Introduction Date: 2022-01-11**Primary Sponsors**

John McKeon, Roy Freiman, Raj Mukherji

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	A 1747	Reported Out Of Asm Comm With Amendments And Referred To Assembly Appropriations Committee 2022 05 26	In Assembly	None	None	38.2% 83.5%

Title

Establishes Prescription Drug Affordability Board; appropriates \$1 million.*

Introduction Date: 2022-01-11**Labels:** Rx Affordability Board**Primary Sponsors**

John McKeon, Bill Moen, Angela McKnight

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	A 1763	Introduced Referred To Assembly Financial Institutions And Insurance Committee 2022 01 11	In Assembly	Support	High	3.2% 76.2%

Title
Removes exception of self-insured health benefits plans from law concerning pharmacy benefits managers.

Introduction Date: 2022-01-11

Labels: ERISA

Primary Sponsors
John McKeon

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	A 2840	Substituted By S 1615 2 R 2023 06 30	In Assembly	None	None	17.1% 80.3%

Title
Establishes certain data reporting requirements for prescription drug supply chain; establishes Drug Affordability Council; appropriates \$1,500,000.*

Introduction Date: 2022-02-28

Labels: PSAOs Rx Affordability Board
Transparency and Disclosure

Primary Sponsors
John McKeon, Angela McKnight, Bill Moen, Paul Moriarty

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	A 2841	Combined With A 536 Acs 2022 03 14	In Assembly	None	None	36.4% 84.9%

Title
Establishes new transparency standards for pharmacy benefits manager business practices.

Introduction Date: 2022-02-28

Labels: Transparency and Disclosure

Primary Sponsors
John McKeon, Roy Freiman, Gabby Mosquera

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	A 3245	Introduced Referred To Assembly Financial Institutions And Insurance Committee 2022 03 07	In Assembly	None	None	6.6% 78.6%

Title
Establishes prescription drug pricing disclosure requirements and measures to reduce prescription drug costs.

Introduction Date: 2022-03-07

Primary Sponsors
Pam Lampitt

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	A 4420	Introduced Referred To Assembly Financial Institutions And Insurance Committee 2022 06 29	In Assembly	None	None	3.3% 83.8%

Title
Requires health insurance carriers to provide list of alternative drugs to health care professionals, pharmacists, and covered persons under certain circumstances.

Introduction Date: 2022-06-29

Primary Sponsors
Herb Conaway, Sterley Stanley

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	A 4425	Introduced Referred To Assembly Financial Institutions And Insurance Committee 2022 06 29	In Assembly	None	None	2.4% 81.2%

Title **Introduction Date:** 2022-06-29

Prohibits SHBP, SEHBP, and Medicaid from denying coverage for maintenance medications for chronic conditions for covered persons solely because of change in health benefits plan or pharmacy benefits manager.

Primary Sponsors
Herb Conaway, Raj Mukherji

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	A 5588	Introduced Referred To Assembly Human Services Committee 2023 06 08	In Assembly	None	None	3.2% 79.6%

Title **Introduction Date:** 2023-06-08

Requires prescription drug services covered under Medicaid program to be provided via fee-for-service delivery system.

Labels: Medicaid Carve-Out

Primary Sponsors
Raj Mukherji, Angela McKnight

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	S 323	Introduced In The Senate Referred To Senate Health Human Services And Senior Citizens Committee 2022 01 11	In Senate	None	None	24.4% 80.2%

Title **Introduction Date:** 2022-01-11

Establishes prescription drug pricing disclosure requirements and measures to reduce prescription drug costs.

Primary Sponsors
Troy Singleton, Vin Gopal

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	S 329	Referred To Senate Budget And Appropriations Committee 2022 03 10	In Senate	None	None	78.3% 83.5%

Title **Introduction Date:** 2022-01-11

Establishes Prescription Drug Affordability Board; appropriates \$1 million.

Labels: Rx Affordability Board

Primary Sponsors
Troy Singleton, Jim Beach

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	S 334	Referred To Senate Budget And Appropriations Committee 2022 02 10	In Senate	None	None	7.5% 81.4%

Title **Introduction Date:** 2022-01-11

Requires carriers to pass prescription drug savings to consumers.

Primary Sponsors
Troy Singleton, Nellie Pou

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	S 469	Introduced In The Senate Referred To Senate Commerce Committee 2022 01 11	In Senate	None	None	6.7% 83.8%

Title **Introduction Date:** 2022-01-11

Prohibits pre-approval or precertification of medical tests, procedures and prescription drugs covered under health benefits or prescription drug benefits plans.

Primary Sponsors
Nick Scutari, Jon Bramnick

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	S 680	Introduced In The Senate Referred To Senate Commerce Committee 2022 01 11	In Senate	None	None	6.5% 84.5%

Title **Introduction Date:** 2022-01-11

Prohibits pre-approval or precertification of cancer treatments, tests, procedures and prescription drugs covered under health benefits or prescription drug benefits plans.

Primary Sponsors
Tony Bucco

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	S 788	Introduced In The Senate Referred To Senate Commerce Committee 2022 01 18	In Senate	None	None	25.2% 85.0%

Title **Introduction Date:** 2022-01-18

Removes exception of self-insured health benefits plans from law concerning pharmacy benefits managers.

Labels: ERISA

Primary Sponsors
Troy Singleton, Nellie Pou

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	S 1300	Introduced In The Senate Referred To Senate Commerce Committee 2022 02 03	In Senate	None	None	3.2% 81.9%

Title **Introduction Date:** 2022-02-03

"New Jersey Pharmacy Benefits Manager Licensure and Regulation Act."

Labels: Registration/Licensure

Primary Sponsors
Vin Gopal

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	S 1360	None	None	None	None	7.3% 78.9%

Labels: ERISA

Title
Removes exception of self-insured health benefits plans from law concerning pharmacy benefits managers.

Primary Sponsors
Bob Singer

State	Bill Number	Last Action	Status	Position	Priority
NJ	S 1615	Approved P L 2023 C 106 2023 07 10	Enacted	None	None

Title

Establishes certain data reporting requirements for prescription drug supply chain; establishes Drug Affordability Council; appropriates \$1,500,000.*

Introduction Date: 2022-02-14**Labels:** PSAOs Rx Affordability Board
Transparency and Disclosure**Primary Sponsors**

Troy Singleton, Joe Vitale, Nellie Pou, John McKeon, Angela McKnight, Bill Moen, Paul Moriarty

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	S 1616	Substituted By A 536 2841 Acs 3 R 2023 06 30	In Senate	None	None	93.5% 79.4%

Title

Establishes new transparency standards for pharmacy benefits manager business practices.

Introduction Date: 2022-02-14**Labels:** Appeal procedure Fiduciary duty
Registration/Licensure**Primary Sponsors**

Joe Vitale, Troy Singleton, Nellie Pou, Vin Gopal

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	S 2221	Introduced In The Senate Referred To Senate Commerce Committee 2022 03 07	In Senate	None	None	3.0% 81.9%

Title

Establishes new transparency standards for business of pharmacy benefits managers and establishes licensure requirements.

Introduction Date: 2022-03-07**Primary Sponsors**

Vin Gopal

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	S 3604	Received In The Assembly Referred To Assembly Financial Institutions And Insurance Committee 2023 06 27	In Assembly	None	None	12.6% 75.1%

Title

Authorizes use of healthcare platforms providing discounted prices for payment of prescription and non-prescription drugs or devices and for telehealth and telemedicine services.

Introduction Date: 2023-02-16**Primary Sponsors**

Fred Madden, Nilsa Cruz-Perez

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NJ	S 3962	Introduced In The Senate Referred To Senate Health Human Services And Senior Citizens Committee 2023 06 15	In Senate	None	None	3.9% 82.4%

Title

Requires prescription drug services covered under Medicaid program to be provided via fee-for-service delivery system.

Introduction Date: 2023-06-15

Labels: Medicaid Carve-Out

Primary Sponsors

Vin Gopal, Linda Greenstein

State	Bill Number	Last Action	Status	Position	Priority
NM	HB 51	Action Postponed Indefinitely 2023 02 14	Failed	None	None

Title

PRESCRIPTION DRUG AFFORDABILITY BOARD ACT

Introduction Date: 2023-01-10

Labels: Rx Affordability Board

Primary Sponsors

Pamelya Herndon, Bill Tallman, Jeff Steinborn

State	Bill Number	Last Action	Status	Position	Priority
NM	HB 132	Action Postponed Indefinitely 2023 02 27	Failed	None	None

Title

MAIL-ORDER & COMMUNITY PHARMACY ACCESS

Introduction Date: 2023-01-19

Labels: Any willing provider, Mail-order, Patient steering, Provider networks, Reimbursement to PBM-owned pharmacies

Primary Sponsors

Liz Thomson, Liz Stefanics

State	Bill Number	Last Action	Status	Position	Priority
NM	HB 540	Action Postponed Indefinitely 2023 03 14	Failed	None	None

Title

PUBLIC PEACE, HEALTH, SAFETY & WELFARE

Introduction Date: 2023-02-16

Labels: 340B

Primary Sponsors

Liz Thomson

State	Bill Number	Last Action	Status	Position	Priority
NM	SB 14	Action Postponed Indefinitely 2023 03 01	Failed	None	None

Title

PHARMACY BENEFITS CHANGES

Introduction Date: 2023-02-16

Labels: Any willing provider, Appeal procedure, Fiduciary duty, NADAC+, Patient Protections, PSAs, Quality metrics, Registration/Licensure, Reimbursement to PBM-owned pharmacies, Retroactive claims adjustments, Transparency and Disclosure

Primary Sponsors

Liz Stefanics, Liz Thomson, David Gallegos

State	Bill Number	Last Action	Status	Position	Priority
NM	SB 51	Signed By Governor Chapter 206 Apr 7 2023 04 07	Enacted	None	None

Title
COST-SHARING CONTRIBUTIONS FOR PRESCRIPTIONS

Introduction Date: 2023-01-18

Labels: Co-pay accumulator Patient Protections

Primary Sponsors
Liz Stefanics, Liz Thomson

State	Bill Number	Last Action	Status	Position	Priority
NM	SB 498	Action Postponed Indefinitely 2023 02 16	Failed	None	None

Title
PHARMACY BENEFIT MANAGER RESTRICTIONS

Introduction Date: 2023-02-16

Labels: Any willing provider Appeal procedure

Primary Sponsors
David Gallegos

Provider networks

State	Bill Number	Last Action	Status	Position	Priority
NV	AB 434	Chapter 390 2023 06 13	Enacted	None	None

Title
Revises provisions governing prescription drugs. (BDR 57-652)

Introduction Date: 2023-03-27

Labels: 340B

Description
AN ACT relating to prescription drugs; prohibiting certain pharmacy benefit managers and health carriers from taking certain actions against entities that participate in a federal program to facilitate the discounted purchase of prescription drugs; prohibiting a program administered by the Department of Health and Human Services to provide therapeutics to persons with human immunodeficiency virus from taking similar actions; imposing certain limitations on the use of money available to administer the program to provide therapeutics to persons with human immunodeficiency virus; and providing other matters properly relating thereto.

Primary Sponsors
House Committee on Health and Human Services

State	Bill Number	Last Action	Status	Position	Priority
NV	AB 440	Pursuant To Joint Standing Rule No 14 3 1 No Further Action Allowed 2023 04 15	Failed sine die	None	None

Title

Revises provisions relating to pharmacy benefit managers. (BDR 57-330)

Description

AN ACT relating to insurance; imposing certain requirements concerning the income generated by a pharmacy benefit manager; imposing a fiduciary duty upon a pharmacy benefit manager toward certain third parties; prohibiting a pharmacy benefit manager from engaging in certain activities or implementing certain policies or practices; requiring a pharmacy benefit manager to submit to certain audits; imposing certain fees upon a pharmacy benefit manager; and providing other matters properly relating thereto.

Primary Sponsors

House Committee on Commerce and Labor

Introduction Date: 2023-03-27

Labels: Fiduciary duty Registration/Licensure
Transparency and Disclosure

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NY	A 1707	Substitute S 599 Action Substituted By A 1707 A 2023 06 06	Passed Senate	None	None	96.5% 75.8%

Title

Requires certain manufacturers of prescription drugs to notify the drug utilization review board of the proposed increase of the wholesale acquisition cost of such prescription drugs

Description

Requires certain manufacturers of prescription drugs to notify the superintendent of any proposed increase of the wholesale acquisition cost of such prescription drugs.

Primary Sponsors

Dan Rosenthal

Introduction Date: 2023-06-06

Labels: Drug Pricing Transparency and Disclosure

State	Bill Number	Last Action	Status	Position	Priority
NY	A 2200	Signed Chap 63 2023 03 03	Enacted	None	None

Title

Provides for patient prescription pricing transparency; repealer

Description

Provides for patient prescription pricing transparency; requires certain insurers or pharmacy benefit managers to furnish required cost, benefit and coverage data upon request of the insured, the insured's health care provider or an authorized third party.

Primary Sponsors

John McDonald

Introduction Date: 2023-02-13

Labels: Transparency and Disclosure

Title

Enacts into law major components of legislation necessary to implement the state health and mental hygiene budget for the 2023-2024 state fiscal year

Introduction Date: 2023-05-01

Labels: HIV PrEP/PEP PSAOs Vaccine Authority

Description

Enacts into law major components of legislation necessary to implement the state health and mental hygiene budget for the 2023-2024 state fiscal year; relates to the year to year rate of growth of Department of Health state funds and Medicaid funding, relating to the state Medicaid spending cap and related processes (Part A); extends various provisions of laws relating to the provision of health care services, administration and programs (Part B); extends certain provisions of law relating to the health care reform act; extends provisions relating to the distribution of pool allocations and graduate medical education; extends provisions relating to health care initiative pool distributions; extends payment provisions for general hospitals; extends provisions relating to assessments on covered lives (Part C); extends the voluntary indigent care pool; establishes the definition of rural emergency hospital; expands eligibility for vital access provider assurance program funding; relates to Medicaid payments for the operating component of hospital inpatient services and hospital outpatient services (Part E); extends certain provisions of law relating to malpractice and professional medical conduct (Part F); relates to lowering the income threshold for eligibility to participate in private pay protocols for programs and services administered by the office for the aging (Part G); establishes the 1332 state innovation program; defines 1332 state innovation plan and state innovation plan individual; creates the 1332 state innovation fund; makes related provisions (Part H); extends authority to enroll certain recipients in need of more than 120 days of community based-long term care in a managed long term care plan; extends the moratorium on the processing and approval of applications seeking a certificate of authority as a managed long term care plan; provides for performance standards for managed long term care plans; provides for an additional increase in Medicaid payments made for the operating component of residential health care facilities services in addition to the increase provided by Part I of Chapter 57 of the laws of 2022 (Part I); authorizes Medicaid eligibility for certain services provided to individuals who are in a correctional institution, and for certain services provided to individuals who are in an institution for mental disease (Part K); relates to site of service clinical review for determining whether a non-urgent outpatient medical procedures and surgeries procedure will be covered when rendered by a network participating provider at a hospital-based outpatient clinic (Part L); relates to the review and oversight of material transactions (Part M); expands the Medicaid Buy-In program for people with disabilities (Part N); creates the s... (click bill link to see more).

Primary Sponsors

Joint 2016 General Budget Conference Committee

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NY	A 6352	Referred To Insurance 2023 04 05	In Assembly	None	None	2.5% 80.7%

Title

Relates to reducing pharmacy benefit manager costs

Introduction Date: 2023-04-05**Labels:** Spread pricing**Description**

Relates to reducing pharmacy benefit manager costs; defines "pharmacy benefit manager".

Primary Sponsors

David Weprin

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NY	A 7304	Print Number 7304 A 2023 05 25	In Assembly	None	None	32.7% 79.2%

Title

Establishes the prescription drug supply chain transparency act of 2023

Introduction Date: 2023-05-17**Labels:** PSAOs**Description**

Establishes the prescription drug supply chain transparency act of 2023; requires pharmacy services administrative organizations, pharmacy switch companies and rebate aggregators to register with the insurance department and to provide certain disclosures relating to the ownership and activities of such entities; relates to deposits into the pharmacy benefit manager regulatory fund.

Primary Sponsors

John McDonald

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NY	A 7789	Referred To Health 2023 06 15	In Assembly	None	None	9.5% 83.3%

Title

Relates to establishing the "340B prescription drug anti-discrimination act"

Introduction Date: 2023-06-15**Labels:** 340B**Description**

Relates to establishing the "340B prescription drug anti-discrimination act"; prohibits pharmaceutical manufacturers and pharmacy benefit managers from discriminating against covered entities and New York state pharmacies based on participation in the drug discount program authorized by section 340B of the federal public health service act.

Primary Sponsors

Amy Paulin

State	Bill Number	Last Action	Status	Position	Priority
NY	S 836	Substitute A 2200 Action Signed Chap 63 2023 03 03	Enacted	None	None

Title

Provides for patient prescription pricing transparency; repealer

Introduction Date: 2023-02-13**Description**

Provides for patient prescription pricing transparency; requires certain insurers or pharmacy benefit managers to furnish required cost, benefit and coverage data upon request of the insured, the insured's health care provider or an authorized third party.

Primary Sponsors

Neil Breslin

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NY	S 1888	Referred To Insurance 2023 01 17	In Senate	None	None	22.2% 76.3%

Title

Relates to reducing pharmacy benefit manager costs

Introduction Date: 2023-01-17**Labels:** Rebates Spread pricing**Description**

Relates to reducing pharmacy benefit manager costs; defines "pharmacy benefit manager".

Transparency and Disclosure**Primary Sponsors**

James Skoufis

Title

Enacts into law major components of legislation necessary to implement the state health and mental hygiene budget for the 2023-2024 state fiscal year

Introduction Date: 2023-05-01

Labels: [HIV PrEP/PEP](#) [PSAOs](#)
[Transparency and Disclosure](#)

Description

Enacts into law major components of legislation necessary to implement the state health and mental hygiene budget for the 2023-2024 state fiscal year; relates to the year to year rate of growth of Department of Health state funds and Medicaid funding, relating to the state Medicaid spending cap and related processes (Part A); extends various provisions of laws relating to the provision of health care services, administration and programs (Part B); extends certain provisions of law relating to the health care reform act; extends provisions relating to the distribution of pool allocations and graduate medical education; extends provisions relating to health care initiative pool distributions; extends payment provisions for general hospitals; extends provisions relating to assessments on covered lives (Part C); extends the voluntary indigent care pool; establishes the definition of rural emergency hospital; expands eligibility for vital access provider assurance program funding; relates to Medicaid payments for the operating component of hospital inpatient services and hospital outpatient services (Part E); extends certain provisions of law relating to malpractice and professional medical conduct (Part F); relates to lowering the income threshold for eligibility to participate in private pay protocols for programs and services administered by the office for the aging (Part G); establishes the 1332 state innovation program; defines 1332 state innovation plan and state innovation plan individual; creates the 1332 state innovation fund; makes related provisions (Part H); extends authority to enroll certain recipients in need of more than 120 days of community based-long term care in a managed long term care plan; extends the moratorium on the processing and approval of applications seeking a certificate of authority as a managed long term care plan; provides for performance standards for managed long term care plans; provides for an additional increase in Medicaid payments made for the operating component of residential health care facilities services in addition to the increase provided by Part I of Chapter 57 of the laws of 2022 (Part I); authorizes Medicaid eligibility for certain services provided to individuals who are in a correctional institution, and for certain services provided to individuals who are in an institution for mental disease (Part K); relates to site of service clinical review for determining whether a non-urgent outpatient medical procedures and surgeries procedure will be covered when rendered by a network participating provider at a hospital-based outpatient clinic (Part L); relates to the review and oversight of material transactions (Part M); expands the Medicaid Buy-In program for people with disabilities (Part N); creates the s... (click bill link to see more).

Primary Sponsors

Senate Budget and Revenue Committee

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NY	S 5136	Referred To Health 2023 02 23	In Senate	None	None	2.2% 77.2%

Title

Relates to pharmacy services provided by managed care providers; repealer

Description

Relates to pharmacy services provided by managed care providers; requires pharmacy benefit managers and managed care providers to reimburse retail pharmacies for each outpatient drug, at the National Average Drug Acquisition Cost (NADAC); repeals related provisions.

Primary Sponsors

Gustavo Rivera

Introduction Date: 2023-02-23

Labels: Medicaid Carve-Out

Medicaid Reimbursement Floor

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NY	S 6738	Referred To Insurance 2023 05 08	In Senate	None	None	4.6% 76.4%

Title

Establishes the prescription drug supply chain transparency act of 2023

Description

Establishes the prescription drug supply chain transparency act of 2023; requires pharmacy services administrative organizations, pharmacy switch companies and rebate aggregators to register with the insurance department and to provide certain disclosures relating to the ownership and activities of such entities; relates to deposits into the pharmacy benefit manager regulatory fund.

Primary Sponsors

Zellnor Myrie

Introduction Date: 2023-05-08

Labels: PSAOs

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
NY	S 7110	Referred To Health 2023 05 18	In Senate	None	None	5.2% 77.4%

Title

Relates to reimbursement practices of pharmacy benefit managers

Description

Ensures reimbursement practices of pharmacy benefit managers do not allow for reimbursement of an amount less than the cost of procuring the drugs.

Primary Sponsors

James Skoufis

Introduction Date: 2023-05-18

Labels: Protections from under-reimbursement

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
OH	HB 156	Referred To Committee Insurance 2023 05 02	In House	None	None	10.2% 81.7%

Title
Regards physician-administered drugs

Introduction Date: 2023-04-25

Labels: White baggings

Description
To amend section 3902.50 and to enact section 3902.63 of the Revised Code to amend the law related to physician-administered drugs.

Primary Sponsors
Gayle Manning, Scott Oelslager

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
OH	HB 177	Reported Re Referred To Public Health Policy Rules And Reference 2023 06 13	In House	None	None	34.9% 82.3%

Title
Prohibit certain health insurance cost-sharing practices

Introduction Date: 2023-05-22

Labels: Patient Protections

Description
To amend section 1751.12 and to enact sections 3923.811 and 3959.21 of the Revised Code to prohibit certain health insurance cost-sharing practices.

Primary Sponsors
Susan Manchester

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
OK	HB 1598	Second Reading Referred To Insurance 2023 02 07	In House	None	None	3.2% 54.7%

Title
Insurance; retail pharmacy network access standards; State standards for network access; Federal standards for network access; effective date.

Introduction Date: 2023-02-06

Primary Sponsors
Ryan Martinez

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
OK	HB 1713	Second Reading Referred To Health And Human Services 2023 03 30	In Senate	None	None	7.6% 70.7%

Title
Pharmacies; definitions; requirements; penalties; codification; emergency.

Introduction Date: 2023-02-06

Labels: White baggings

Primary Sponsors
T.J. Marti, Jessica Garvin

State	Bill Number	Last Action	Status	Position	Priority
OK	HB 1843	Filed With Secretary Of State 2023 05 25	Vetoed	None	None

Title

Pharmacy benefit managers; compliance review; investigative powers; violations, penalties, and hearings; Attorney General; effective date.

Introduction Date: 2023-02-06**Labels:** PBM enforcement**Primary Sponsors**

Dell Kerbs, Greg McCortney

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
OK	HB 2853	Coauthored By Senator Garvin 2023 04 20	In Senate	None	None	46.3% 74.5%

Title

Health care; creating the Oklahoma Rebate Pass-Through and PBM Meaningful Transparency Act of 2023; definitions; requirements; effective date.

Introduction Date: 2023-02-06**Primary Sponsors**

Kevin Wallace, Jim Montgomery

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
OK	SB 13	Coauthored By Representative Marti Principal House Author 2023 02 15	In Senate	None	None	4.3% 86.8%

Title

Pharmaceuticals; prohibiting certain drug plans to refuse dispensing certain drugs under certain circumstances; requiring certain drugs meet certain federal requirements; prohibiting patients from payment of certain fees beyond cost-sharing obligation; establishing penalties. Effective date. Emergency.

Introduction Date: 2023-02-06**Labels:** White baggings**Primary Sponsors**

Jessica Garvin, T.J. Marti

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
OK	SB 144	Coauthored By Representative Mcentire Principal House Author 2023 03 20	In Senate	None	None	2.3% 75.9%

Title

Prescription drugs; requiring certain entities to submit certain reports to the Insurance Department; directing Department to electronically publish certain information. Effective date.

Introduction Date: 2023-02-06**Labels:** ERISA Patient Protections Rebates Transparency and Disclosure**Primary Sponsors**

Carri Hicks, Marcus McEntire

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
OK	SB 146	Second Reading Referred To Retirement And Insurance 2023 02 07	In Senate	None	None	3.0% 55.6%

Title

Prescription drugs; creating the Access to Lifesaving Medicines Act. Effective date.

Introduction Date: 2023-02-06

Labels: Patient Protections
Transparency and Disclosure

Primary Sponsors

Carri Hicks

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
OK	SB 549	Title Stricken 2023 02 21	In Senate	None	None	3.0% 82.7%

Title

Pharmacy benefits management; modifying provisions ad requirements of managers; modifying administration by the Insurance Department. Effective date.

Introduction Date: 2023-02-06

Primary Sponsors

Jim Montgomery, Chris Sneed

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
OK	SB 768	Second Reading Referred To Retirement And Insurance Committee Then To Appropriations Committee 2023 02 07	In Senate	None	None	4.3% 55.0%

Title

Prescription drugs; establishing certain requirements relating to drug manufacturing and pricing. Effective date.

Introduction Date: 2023-02-06

Primary Sponsors

Carri Hicks

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
OK	SB 879	Coauthored By Representative Wallace Principal House Author 2023 03 14	In Senate	None	None	5.9% 84.5%

Title

Pharmacy benefits managers; requiring publication of data; establishing regulations and compliance measures. Effective date.

Introduction Date: 2023-02-06

Primary Sponsors

Jim Montgomery, Kevin Wallace

State	Bill Number	Last Action	Status	Position	Priority
OR	HB 2277	In Committee Upon Adjournment 2023 06 25	Failed	None	None

Title

Relating to regulating third-party insurance plan administrators; creating new provisions; amending ORS 744.700, 744.702, 744.704, 744.720, 744.724, 744.728, 744.730, 744.732, 744.734, 744.736, 744.738 and 744.740; repealing ORS 744.714; and prescribing an effective date.

Introduction Date: 2023-01-09

Labels: ERISA PBM enforcement

Description

Removes exemption from regulation by Department of Consumer and Business Services for self-insured plans of insurance operating solely in this state. Provides that insurer is responsible for acts of third party administrators with which insurer contracts for plan administration. Becomes operative on January 2, 2024. Takes effect on 91st day following adjournment sine die.

State	Bill Number	Last Action	Status	Position	Priority
OR	HB 2715	In Committee Upon Adjournment 2023 06 25	Failed	None	None

Title

Relating to insurance coverage of prescription drugs; creating new provisions; and amending ORS 646.608 and 735.533.

Introduction Date: 2023-01-09

Labels: White baggings

Description

Prohibits health insurers and pharmacy benefit managers from restricting coverage of physician-administered prescription drugs that are obtained by nonparticipating pharmacies. Designates violation of prohibition as unlawful practice.

Primary Sponsors

Anna Scharf, Bill Hansell

State	Bill Number	Last Action	Status	Position	Priority
OR	HB 2716	In Committee Upon Adjournment 2023 06 25	Failed	None	None

Title

Relating to reimbursing the cost of prescription drugs; amending ORS 735.534 and 743A.062.

Introduction Date: 2023-01-09

Description

Prohibits specified practices by insurers and pharmacy benefit managers in reimbursing cost of prescription drugs.

Primary Sponsors

Anna Scharf, Bill Hansell

State	Bill Number	Last Action	Status	Position	Priority
OR	HB 2725	Chapter 509 2023 Laws Effective Date July 31 2023 2023 08 15	Enacted	None	None

Title

Relating to pharmacy benefit managers; and declaring an emergency.

Introduction Date: 2023-01-09**Labels:** Provider networks**Description**

Prohibits pharmacy benefit manager from retroactively denying or reducing payment on claim after adjudication unless pharmacy and pharmacy benefit manager agree that payment was incorrect due to clerical error. Prohibits pharmacy benefit manager from imposing fees on rural] pharmacies after point of sale. Requires pharmacy benefit manager, if denying or reducing reimbursement on claim, to provide notice to pharmacy of specific claim that is denied or reduced and explanation for denial or reduction. Declares emergency, effective on passage.

Primary Sponsors

Christine Goodwin, Bill Hansell, Nancy Nathanson

State	Bill Number	Last Action	Status	Position	Priority
OR	HB 2762	In Committee Upon Adjournment 2023 06 25	Failed	None	None

Title

Relating to prescription drug costs.

Introduction Date: 2023-01-09**Labels:** Transparency and Disclosure**Description**

Requires insurers offering health benefit plans and pharmacy benefit managers to provide specified information regarding prescribed drug covered by plan or administered by manager, at time drug is prescribed.

Primary Sponsors

Rob Nosse

State	Bill Number	Last Action	Status	Position	Priority
OR	HB 3012	In Committee Upon Adjournment 2023 06 25	Failed	Support	None

Title

Relating to pharmacy benefit managers; creating new provisions; and amending ORS 705.137, 735.530 and 735.533.

Introduction Date: 2023-01-09**Labels:** Transparency and Disclosure**Description**

Requires pharmacy benefit managers to annually report specified information to Department of Consumer and Business Services, including costs and rebates of prescription drugs for enrollees. Authorizes civil penalty, or refusal, revocation or suspension of registration, for failing to comply with reporting requirements.

Primary Sponsors

Nancy Nathanson

State	Bill Number	Last Action	Status	Position	Priority
OR	HB 3013	Vote Explanation S Filed By Smith Db Sollman 2023 06 25	Failed	Support	High

Title

Relating to pharmacy benefits; creating new provisions; amending ORS 646A.694, 735.530, 735.532, 735.533, 735.534, 735.536, 735.540, 735.542 and 743A.062; and declaring an emergency.

Introduction Date: 2023-01-09

Labels: 340B Fair Pharmacy Audits NADAC+
Provider networks Registration/Licensure

Description

Requires pharmacy benefit managers to be licensed by Department of Consumer and Business Services beginning January 1, 2024. Modifies definition of "pharmacy benefit manager" and imposes new requirements on pharmacy benefit managers. Modifies procedures for pharmacy to appeal payment by pharmacy benefit manager on claim for reimbursement. Restricts audits of pharmacy claims for reimbursement. Requires policies or certificates of health insurance and contracts providing for reimbursement of cost of prescription drugs to allow policyholder, certificate holder and beneficiary to select pharmacy or pharmacist for filling prescriptions and prescription renewals, to contract with any pharmacy or pharmacist willing to abide by terms and conditions of policy, certificate or contract. Imposes new requirements with respect to insurance coverage of 340B drugs. Appropriates moneys from General Fund to Department of Consumer and Business Services for purpose of employment assistance in regulation of pharmacy benefit managers. Declares emergency, effective on passage.

Primary Sponsors

Nancy Nathanson, Christine Goodwin

State	Bill Number	Last Action	Status	Position	Priority
OR	HB 3015	In Committee Upon Adjournment 2023 06 25	Failed	Support	None

Title

Relating to pharmacy benefit managers; amending ORS 735.536.

Introduction Date: 2023-01-09

Labels: Retroactive Reimbursement Adjustments

Description

Prohibits pharmacy benefit manager, after adjudication of and payment on claim for reimbursement of prescription drug, from recouping reimbursement paid except as part of routine audit, or from imposing retroactive fee on basis that was not determined when claim was adjudicated.

Primary Sponsors

Nancy Nathanson

State	Bill Number	Last Action	Status	Position	Priority
OR	SB 608	Effective Date June 7 2023 2023 06 14	Enacted	None	None

Title

Relating to prescription drugs; and declaring an emergency.

Introduction Date: 2023-01-09**Labels:** cost to dispense**Description**

Prohibits insurers offering policies or certificates of health insurance and pharmacy benefit managers from requiring claim for reimbursement of prescription drug to include modifier or other indicator that drug is 340B drug.] Requires Oregon Health Authority to adopt dispensing fee to be paid to pharmacies and pharmacists dispensing prescription drugs to medical assistance recipients. Sets minimum dispensing fee at \$ __.] Takes effect on 91st day following adjournment sine die.] Requires Oregon Health Authority, every three years, to conduct survey of retail pharmacies enrolled as providers in state medical assistance program regarding pharmacies' dispensing costs. Requires authority, if adjustments are needed, to request state plan amendment from Centers for Medicare and Medicaid Services to change professional dispensing fee paid to pharmacies participating in state medical assistance program. Declares emergency, effective on passage.

Primary Sponsors

Wlnsvey Campos

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
PA	HB 969	Referred To Insurance 2023 04 24	In House	None	None	4.6% 78.5%

Title

An Act amending the act of November 21, 2016 (P.L.1318, No.169), known as the Pharmacy Audit Integrity and Transparency Act, in pharmacy benefit manager cost transparency requirements, providing for sharing of cost, benefit and coverage data required.

Introduction Date: 2023-04-24**Labels:** Patient ProtectionsTransparency and Disclosure**Primary Sponsors**

Valerie Gaydos

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
PA	SB 62	Referred To Banking And Insurance 2023 01 30	In Senate	None	None	4.1% 81.1%

Title

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, providing for price disclosure.

Introduction Date: 2023-01-30**Primary Sponsors**

Vincent Hughes

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
PA	SB 372	Referred To Banking And Insurance 2023 02 21	In Senate	None	None	4.9% 79.1%

Title

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in casualty insurance, providing for cost-sharing calculation.

Introduction Date: 2023-02-21**Labels:** Co-pay accumulator Patient Protections**Primary Sponsors**

Judy Ward

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
PA	SB 696	Referred To Banking And Insurance 2023 05 15	In Senate	None	None	6.1% 78.0%

Title

An Act providing for pharmaceutical transparency; establishing the Pharmaceutical Transparency Review Board and providing for its powers and duties; establishing the Pharmaceutical Transparency Review Fund; and imposing a penalty.

Introduction Date: 2023-05-15**Labels:** Rx Affordability Board**Primary Sponsors**

Sharif Street

State	Bill Number	Last Action	Status	Position	Priority
RI	HB 5078	Committee Recommended Measure Be Held For Further Study 2023 03 08	Failed sine die	None	None

Title

An Act Relating To Insurance -- Control Of High Prescription Costs -- Regulation Of Pharmacy Benefit Managers (Regulates Pbms Policies And Practices Relating To Accurate Costs And Pricing Reporting, Restricts Discriminatory Practices And Establishes Consumer Protections And Enforcement Of Penalties For Violations By The Office Of The Attorney General.)

Introduction Date: 2023-01-12**Labels:** Medicaid Carve-Out Patient steering

Retroactive claims adjustments

Transparency and Disclosure

Primary Sponsors

John Lombardi, Ray Hull, Rebecca Kislak

State	Bill Number	Last Action	Status	Position	Priority
RI	HB 5402	Committee Recommended Measure Be Held For Further Study 2023 05 16	Failed sine die	None	None

Title

An Act Relating To Human Services -- Medical Assistance (Requires The Auditor General To Oversee An Audit Of Medicaid Programs Administered By Managed Care Organizations And Submit A Report Of Such Findings Within Six (6) Months To The General Assembly And Eohhs.)

Introduction Date: 2023-02-03**Labels:** Medicaid Carve-Out

Transparency and Disclosure

Primary Sponsors

Julie Casimiro, Thomas Noret, David Bennett, Brandon Potter, David Morales, Michelle McGaw, Megan Cotter, Jennifer Stewart

State	Bill Number	Last Action	Status	Position	Priority
RI	HB 5507	Committee Recommended Measure Be Held For Further Study 2023 03 15	Failed sine die	None	None

Title

An Act Relating To Food And Drugs -- Prescription Drug Advisory Board - Group Purchasing Board For Rx We Can Afford (A Prescription Drug Advisory Board Is Created To Evaluate Drug Prices In An Attempt To Make Them More Affordable.)

Introduction Date: 2023-02-10**Primary Sponsors**

Joseph McNamara, Brandon Potter, Susan Donovan, Megan Cotter, David Morales

State	Bill Number	Last Action	Status	Position	Priority
RI	HB 5680	Committee Recommended Measure Be Held For Further Study 2023 03 15	Failed sine die	None	None

Title

An Act Relating To Insurance -- Accident And Sickness Insurance Policies (Prohibits Healthcare Entities From Interfering With A Patient'S Right To Choose To Obtain A Clinician-Administered Drug From Their Provider Or Pharmacy Of Choice.)

Introduction Date: 2023-02-17**Primary Sponsors**

Justine Caldwell, Julie Casimiro

State	Bill Number	Last Action	Status	Position	Priority
RI	HB 5988	Committee Recommended Measure Be Held For Further Study 2023 05 16	Failed sine die	None	None

Title

An Act Relating To State Affairs And Government -- Office Of Health And Human Services (Prohibits The Executive Office Of Health And Human Services From Entering Into Manage Care Organization (Mco) Contracts That Permit Managed Care Organizations To Contract With Pharmacy Benefit Managers (Pbm).)

Introduction Date: 2023-03-01**Primary Sponsors**

Joseph Solomon, Enrique Sanchez, Brandon Potter, David Morales, Camille Vella-Wilkinson

State	Bill Number	Last Action	Status	Position	Priority
RI	HB 6159	Committee Recommended Measure Be Held For Further Study 2023 04 05	Failed sine die	None	None

Title

An Act Relating To Insurance -- Prescription Drug Benefits (Includes Any Costs Paid By An Enrollee Or On Behalf Of The Enrollee By A Third Party When Calculating An Enrollee'S Overall Contribution To Any Out-Of-Pocket Maximum Or Cost Sharing Requirement Under A Health Plan As Of January 1, 2024.)

Introduction Date: 2023-03-17**Labels:** Co-pay accumulator**Primary Sponsors**

Mia Ackerman, Tina Spears, David Bennett, Brian Kennedy, Katherine Kazarian, Ray Hull, Jay Edwards, Patricia Serpa, Joseph McNamara, Mary Messier

State	Bill Number	Last Action	Status	Position	Priority
RI	SB 106	Committee Recommended Measure Be Held For Further Study 2023 04 04	Failed sine die	None	None

Title

An Act Relating To Insurance -- Control Of High Prescription Costs -- Regulation Of Pharmacy Benefit Managers (Regulates Pblms Policies And Practices Relating To Accurate Costs And Pricing Reporting, Restricts Discriminatory Practices And Establishes Consumer Protections And Enforcement Of Penalties For Violations By The Office Of The Attorney General.)

Introduction Date: 2023-02-01**Primary Sponsors**

Linda Ujifusa, Bridget Valverde, Ana Quezada, Alana DiMario, Melissa Murray, Tiara Mack, Joshua Miller, Sue Sosnowski, Pamela Lauria, Sam Bell

State	Bill Number	Last Action	Status	Position	Priority
RI	SB 799	Referred To House Corporations 2023 05 31	Failed sine die	None	None

Title

An Act Relating To Insurance -- Prescription Drug Benefits (Includes Any Costs Paid By An Enrollee Or On Behalf Of The Enrollee By A Third Party When Calculating An Enrollee'S Overall Contribution To Any Out-Of-Pocket Maximum Or Cost Sharing Requirement Under A Health Plan As Of January 1, 2024.)

Introduction Date: 2023-03-23**Labels:** Co-pay accumulator**Primary Sponsors**

Maryellen Goodwin, Joshua Miller

State	Bill Number	Last Action	Status	Position	Priority
RI	SB 870	Referred To House Health Human Services 2023 05 31	Failed sine die	None	None

Title

An Act Relating To Insurance -- Accident And Sickness Insurance Policies (Prohibits Healthcare Entities From Interfering With A Patient'S Right To Choose To Obtain A Clinician-Administered Drug From Their Provider Or Pharmacy Of Choice.)

Introduction Date: 2023-03-30**Labels:** White baggings**Primary Sponsors**

Linda Ujifusa, Joshua Miller, Val Lawson, Bridget Valverde, Pamela Lauria, Meghan Kallman, Samuel Zurier, Alana DiMario, Dawn Euer, Lou DiPalma

State	Bill Number	Last Action	Status	Position	Priority
RI	SB 874	Committee Recommended Measure Be Held For Further Study 2023 05 09	Failed sine die	None	None

Title

An Act Relating To State Affairs And Government -- The Rhode Island Health Care Reform Act Of 2004 -- Health Insurance Oversight (Requires The Attorney General To Contract And Work With A Third-Party Auditor To Analyze The Practices Of Pharmacy Benefit Managers Doing Business In The State.)

Introduction Date: 2023-03-30**Labels:** PBM enforcement**Primary Sponsors**

Linda Ujifusa, Joshua Miller, Jon Acosta, Alana DiMario, Bridget Valverde, Pamela Lauria, Tiara Mack, Ana Quezada, Meghan Kallman

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
SC	H 3537	Scriveners Error Corrected 2023 01 31	In House	None	None	5.3% 89.7%

Title

Pharmacy Benefits Manager

Introduction Date: 2022-12-15**Description**

A Bill To Amend The South Carolina Code Of Laws By Adding Sections 38-71-292 And 38-71-820 Both So As To Define Terms And Require Insurers To Include Cost-Sharing Amounts Paid When Calculating An Enrollee'S Contribution; By Adding Section 38-71-2270 So As To Require Pharmacy Benefits Managers To Include Cost-Sharing Amounts Paid When Calculating An Enrollee'S Contribution; And By Amending Section 38-71-2200, Relating To Definitions, So As To Define Terms.

Primary Sponsors

Pat Moore Henegan

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
SC	H 3618	Member S Request Name Added As Sponsor Wetmore Wheeler Weeks Mitchell 2023 03 07	In House	Support	None	4.4% 86.0%

Title

Pharmacy Benefits

Introduction Date: 2023-01-11**Labels:** ERISA**Description**

A Bill To Amend The South Carolina Code Of Laws By Adding Sections 38-71-292 And 38-71-820 Both So As To Define Terms And Outline The Applicability And Requirements For Cost Sharing For Insurers; By Adding Section 38-71-2270 So As To Define Terms And Outline The Applicability And Requirements For Cost Sharing For Pharmacy Benefit Managers; And By Amending Section 38-71-2200, Relating To Definitions, So As To Make Conforming Changes.

Primary Sponsors

Pat Moore Henegan

State	Bill Number	Last Action	Status	Position	Priority
SC	S 520	Act No 30 2023 05 26	Enacted	None	None

Title
Pharmacy benefits

Introduction Date: 2023-02-09

Description

An Act To Amend The South Carolina Code Of Laws By Amending Article 18 Of Chapter 71, Title 38, Relating To Pharmacy Audit Rights, So As To Expand The Rights And Duties Of Pharmacies During Audits; By Amending Article 21 Of Chapter 71, Title 38, Relating To Pharmacy Benefits Managers, So As To Define Terms And Make Conforming Changes; By Adding Article 23 To Chapter 71, Title 38 So As To Define Terms And Outline Responsibilities And Duties Of Pharmacy Services Administrative Organizations; And By Repealing Section 38-71-147 Relating To Freedom Of Selection And Participation In Health Insurance Policies Or Health Maintenance Organization Plans. - Ratified Title

Labels: external review Fair Pharmacy Audits
Patient steering PBM enforcement PSAOs

Primary Sponsors

Nikki Setzler

State	Bill Number	Last Action	Status	Position	Priority
SD	HB 1135	Signed By The Governor On March 27 2023 H J 547 2023 03 27	Enacted	None	None

Title
Provide for transparency in the pricing of prescription drugs.

Introduction Date: 2023-01-25

Primary Sponsors

Mike Diedrich, Mike Weisgram

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
TN	HB 920	Taken Off Notice For Cal In S C Insurance Subcommittee Of Insurance Committee 2023 03 21	In House	None	None	9.5% 55.6%

Title
Insurance Companies, Agents, Brokers, Policies - As introduced, extends from two weeks to 30 days the period of time a pharmacist or pharmacy must be provided written notice prior to a covered entity, pharmacy benefits manager, the state or a political subdivision of the state, or a party representing such entity begins an initial on-site audit for an audit cycle. - Amends TCA Title 4; Title 10, Chapter 7; Title 56; Title 63 and Title 71.

Introduction Date: 2023-01-30

Description

Abstract summarizes the bill.

Labels: Fair Pharmacy Audits

Primary Sponsors

Iris Rudder

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
TN	HB 963	P 2 C Caption Bill Held On Desk Pending Amdt 2023 02 02	In House	None	None	2.5% 58.1%

Title

Finance and Administration, Dept. of - As introduced, requires the commissioner, or the commissioner's designee, to provide the annual report on the pharmacy benefits manager's compliance with any state pharmacy benefits management contract to the chairs of the commerce and labor committee of the senate and the insurance committee of the house of representatives. - Amends TCA Title 4; Title 10, Chapter 7, Part 5; Title 38; Title 53; Title 56; Title 63 and Title 71.

Introduction Date: 2023-01-30**Description**

Abstract summarizes the bill.

Primary Sponsors

Esther Helton-Haynes

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
TN	SB 667	Assigned To General Subcommittee Of Senate Commerce And Labor Committee 2023 03 14	In Senate	None	None	96.4% 57.6%

Title

Insurance Companies, Agents, Brokers, Policies - As introduced, extends from two weeks to 30 days the period of time a pharmacist or pharmacy must be provided written notice prior to a covered entity, pharmacy benefits manager, the state or a political subdivision of the state, or a party representing such entity begins an initial on-site audit for an audit cycle. - Amends TCA Title 4; Title 10, Chapter 7; Title 56; Title 63 and Title 71.

Introduction Date: 2023-01-26**Labels:** Fair Pharmacy Audits**Description**

Abstract summarizes the bill.

Primary Sponsors

Shane Reeves

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
TN	SB 690	Passed On Second Consideration Refer To Senate Health And Welfare Committee 2023 02 02	In Senate	None	None	97.3% 57.9%

Title

Finance and Administration, Dept. of - As introduced, requires the commissioner, or the commissioner's designee, to provide the annual report on the pharmacy benefits manager's compliance with any state pharmacy benefits management contract to the chairs of the commerce and labor committee of the senate and the insurance committee of the house of representatives. - Amends TCA Title 4; Title 10, Chapter 7, Part 5; Title 38; Title 53; Title 56; Title 63 and Title 71.

Introduction Date: 2023-01-26**Description**

Abstract summarizes the bill.

Primary Sponsors

Shane Reeves

State	Bill Number	Last Action	Status	Position	Priority
TX	HB 999	Effective On 9 1 23 2023 06 10	Enacted	None	None

Title

Relating to the effect of certain reductions in a health benefit plan enrollee's out-of-pocket expenses for certain prescription drugs on enrollee cost-sharing requirements.

Introduction Date: 2022-12-13**Labels:** Co-pay accumulator**Primary Sponsors**

Four Price, Ryan Guillen, Steve Allison, Tom Oliverson, Charles Schwertner

State	Bill Number	Last Action	Status	Position	Priority
TX	HB 1293	Left Pending In Committee 2023 04 25	Failed sine die	None	None

Title

Relating to the reimbursement of prescription drugs under Medicaid and the child health plan program.

Introduction Date: 2023-01-12**Labels:** Medicaid Reimbursement Floor**Primary Sponsors**

Toni Rose

State	Bill Number	Last Action	Status	Position	Priority
TX	HB 1647	Effective On 9 1 23 2023 06 09	Enacted	None	None

Title

Relating to health benefit plan coverage of clinician-administered drugs.

Introduction Date: 2023-01-25**Primary Sponsors**

Cody Harris, Charles Schwertner

State	Bill Number	Last Action	Status	Position	Priority
TX	HB 1701	Referred To Judiciary Civil Jurisprudence 2023 03 07	Failed sine die	None	None

Title

Relating to administrative and judicial review of certain Medicaid reimbursement disputes; authorizing a fee.

Introduction Date: 2023-01-26**Primary Sponsors**

Nicole Collier

State	Bill Number	Last Action	Status	Position	Priority
TX	HB 1754	Laid On The Table Subject To Call 2023 05 09	Failed sine die	None	None

Title

Relating to the disclosure of certain prescription drug information by a health benefit plan.

Introduction Date: 2023-01-26**Labels:** Adjudication fees Gag clause**Primary Sponsors**

John Smithee

Patient Protections

State	Bill Number	Last Action	Status	Position	Priority
TX	HB 2021	Left Pending In Committee 2023 03 21	Failed sine die	None	None

Title

Relating to applicability of certain insurance laws to pharmacy benefit managers.

Introduction Date: 2023-02-08**Labels:** ERISA**Primary Sponsors**

Tom Oliverson, Bobby Guerra

State	Bill Number	Last Action	Status	Position	Priority
TX	HB 2180	Placed On General State Calendar 2023 05 10	Failed sine die	None	None

Title

Relating to the application of prescription drug price rebates to reduce health benefit plan enrollee cost sharing.

Introduction Date: 2023-02-10**Primary Sponsors**

Cody Harris, Sam Harless, Jacey Jetton

State	Bill Number	Last Action	Status	Position	Priority
TX	HB 3413	Withdrawn From Schedule 2023 04 18	Failed sine die	None	None

Title

Relating to limitations on use of certain pharmacy benefit managers.

Introduction Date: 2023-03-03**Primary Sponsors**

James Frank

State	Bill Number	Last Action	Status	Position	Priority
TX	HB 4347	Referred To Health Care Reform Select 2023 03 21	Failed sine die	None	None

Title

Relating to the application of prescription drug price reductions; imposing a civil penalty.

Introduction Date: 2023-03-09**Labels:** Patient Protections PBM enforcementRebatesTransparency and Disclosure**Primary Sponsors**

Brian Harrison

State	Bill Number	Last Action	Status	Position	Priority
TX	HB 4990	Effective Immediately 2023 06 13	Enacted	None	None

Title

Relating to the Texas Pharmaceutical Initiative and a governing board and advisory council for the initiative.

Introduction Date: 2023-03-10**Labels:** Drug manufacturing Single PBM**Primary Sponsors**

Greg Bonnen, James Frank, Tom Oliverson, Lois Kolkhorst

State	Bill Number	Last Action	Status	Position	Priority
TX	SB 622	Effective On 9 1 23 2023 05 29	Enacted	None	None

Title

Relating to the disclosure of certain prescription drug information by a health benefit plan.

Introduction Date: 2023-01-26**Labels:** Adjudication fees Gag clause
Patient Protections**Primary Sponsors**

Tan Parker, John Smithee

State	Bill Number	Last Action	Status	Position	Priority
TX	SB 1137	Left Pending In Committee 2023 04 26	Failed sine die	None	None

Title

Relating to applicability of certain insurance laws to pharmacy benefit managers.

Introduction Date: 2023-02-23**Labels:** ERISA**Primary Sponsors**

Charles Schwertner

State	Bill Number	Last Action	Status	Position	Priority
TX	SB 1138	Left Pending In Committee 2023 04 19	Failed sine die	None	None

Title

Relating to health benefit plan coverage of clinician-administered drugs.

Introduction Date: 2023-02-23**Labels:** White baggings**Primary Sponsors**

Charles Schwertner

State	Bill Number	Last Action	Status	Position	Priority
TX	SB 2402	Left Pending In Committee 2023 04 19	Failed sine die	None	None

Title

Relating to the creation, management, and administration of the Texas Pharmaceutical Initiative.

Introduction Date: 2023-03-10**Labels:** Drug manufacturing Single PBM**Primary Sponsors**

Lois Kolkhorst

State	Bill Number	Last Action	Status	Position	Priority
UT	SB 8	Governor Signed 2023 03 23	Enacted	None	None

Title

State Agency Fees and Internal Service Fund Rate Authorization and Appropriations

Introduction Date: 2023-01-17**Primary Sponsors**

Don Ipson, Robert Spendlove

State	Bill Number	Last Action	Status	Position	Priority
UT	SB 184	Senate Filed 2023 03 03	Failed sine die	None	None

Title
Prescription Cost Amendments

Introduction Date: 2023-02-07

Labels: Patient Protections

Primary Sponsors
Curt Bramble, Karianne Lisonbee

State	Bill Number	Last Action	Status	Position	Priority
VA	HB 240	House Tabled In Commerce And Energy 21 Y 0 N 2022 01 27	Failed sine die	None	None

Title
State health plan; insulin discount program, cost sharing for insulin.

Introduction Date: 2022-01-10

Labels: insulin coverage

Description
State health plan; insulin discount program; health insurance; cost sharing for insulin. Requires the state health plan established by the Department of Human Resource Management to offer an insulin discount program that allows individuals other than state employees to purchase insulin at a discounted, post-rebate price. The bill requires the insulin discount program to (i) allow a participant to purchase insulin at a discounted, post-rebate price; (ii) provide a participant with a card or electronic document that identifies the participant as eligible for the discount; (iii) provide a participant with information about pharmacies that will honor the discount; and (iv) provide a participant with instructions to pursue a reimbursement of the purchase price from the participant's carrier. The bill requires the discount program to charge a price for insulin that allows the program to retain only enough of any rebate for the insulin to make the state risk pool whole for providing discounted insulin to participants.

Primary Sponsors
Dawn Adams

Title

Health insurance; carrier contracts, carrier provision of certain prescription drug information.

Introduction Date: 2022-01-11

Labels: Transparency and Disclosure

Description

Health insurance; carrier disclosure of certain information. Requires each health insurance carrier, beginning July 1, 2025, to establish and maintain an online process that (i) links directly to e-prescribing systems and electronic health record systems that utilize the National Council for Prescription Drug Programs SCRIPT standard; (ii) can accept electronic prior authorization requests from a provider; (iii) can approve electronic prior authorization requests for which no additional information is needed by the carrier to process the prior authorization request, no clinical review is required, and that meet the carrier's criteria for approval; and (iv) otherwise meets the requirements of the relevant Code of Virginia section. The bill prohibits a carrier from (a) imposing a charge or fee on a participating health care provider for accessing the required online process required or (b) accessing, absent provider consent, provider data via the online process other than for the enrollee. The bill requires participating health care providers, beginning July 1, 2025, to ensure that any e-prescribing system or electronic health record system owned by or contracted for the provider to maintain an enrollee's health record has the ability to access the electronic prior authorization process established by a carrier and real-time cost information data for a covered prescription drug made available by a carrier. The bill provides that a provider may request a waiver of compliance for undue hardship for a period not to exceed 12 months. The bill requires any carrier or its pharmacy benefits manager to provide real-time cost information data to enrollees and contracted providers for a covered prescription drug, including any cost-sharing requirement or prior authorization requirements, and to ensure that the data is accurate. The bill requires that such cost information data is available to the provider in a format that a provider can access and understand such as through the provider's e-prescribing system or electronic health record system for which the carrier or pharmacy benefits manager or its designated subcontractor has adopted that utilizes the National Council for Prescription Drug Programs SCRIPT standard from which the provider makes the request.

Primary Sponsors

Buddy Fowler

State VA	Bill Number HB 478	Last Action House Left In Health Welfare And Institutions 2022 11 22	Status Failed	Position None	Priority None
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Title

Wholesale prescription drug importation program; Sec. of Health and Human Resources to establish.

Introduction Date: 2022-01-11

Labels: Drug Importation

Description

Secretary of Health and Human Resources; wholesale prescription drug importation program. Directs the Secretary of Health and Human Resources (the Secretary) to establish a wholesale prescription drug importation program that complies with the requirements of federal law and to report annually by October 1 to the Governor and the Chairmen of the House Committees on Appropriations and Health, Welfare and Institutions and the Senate Committees on Finance and Appropriations and Education and Health on the wholesale prescription drug importation program. The bill also requires the Secretary to (i) convene a workgroup composed of relevant stakeholders to develop a plan for implementation of the wholesale prescription drug importation program and report the plan to the Governor and the Chairmen of the House Committees on Appropriations and Health, Welfare and Institutions and the Senate Committees on Finance and Appropriations and Education and Health by December 1, 2022, and (ii) seek such federal approvals, waivers, exemptions, or agreements as may be necessary to enable all covered entities enrolled in or eligible for the federal 340B Drug Pricing Program to participate in the wholesale prescription drug importation program to the greatest extent possible without jeopardizing their eligibility for the 340B Drug Pricing Program by July 1, 2023.

Primary Sponsors

Suhas Subramanyam

State	Bill Number	Last Action	Status	Position	Priority
VA	HB 560	House Left In Health Welfare And Institutions 2022 11 22	Failed	Support	High

Title
Health insurance; retail community pharmacies.

Introduction Date: 2022-01-11

Description

Health insurance; retail community pharmacies. Requires a carrier to administer its health benefit plans in a manner consistent with certain requirements and to include such requirements in its provider contracts addressing the provision of pharmacy benefits management. The bill provides that (i) a covered individual is permitted to fill any mail order-covered prescription, at the covered individual's option, at any mail order pharmacy or network participating retail community pharmacy under certain conditions; (ii) the carrier or pharmacy benefits manager is prohibited from imposing a differential copayment, additional fee, rebate, bonus, or other condition on any covered individual who elects to fill his prescription at an in-network retail community pharmacy that is not similarly imposed on covered individuals electing to fill a prescription from a mail order pharmacy; and (iii) the pharmacy benefits manager is required to expressly disclose to the carrier in the contract if the pharmacy benefits manager retains all or a greater portion of a drug manufacturer's rebate amount or any additional direct or indirect remuneration from any third party for drugs dispensed through the pharmacy benefits manager-owned mail order pharmacy than the pharmacy benefits manager does for drugs dispensed through a retail community pharmacy. The bill also removes the exemption for a self-insured or self-funded employee welfare benefit plan under provisions regulating pharmacy benefits managers.

Primary Sponsors

Israel O'Quinn

State	Bill Number	Last Action	Status	Position	Priority
VA	HB 584	House Stricken From Docket By Appropriations 22 Y 0 N 2022 02 09	Failed sine die	None	None

Title
Employee health insurance; pharmacy benefits, reverse auction process.

Introduction Date: 2022-01-11

Labels: Reverse auction

Description

Department of Human Resource Management; employee health insurance; pharmacy benefits; reverse auction process. Directs the Department of Human Resource Management to utilize a reverse auction process to award pharmacy benefit manager contracts for pharmacy benefits offered under the state employee health insurance plan.

Primary Sponsors

Sally Hudson

State VA	Bill Number HB 943	Last Action House Left In Health Welfare And Institutions 2022 11 22	Status Failed	Position Support	Priority High
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Title Health insurance; retail community pharmacies. **Introduction Date:** 2022-01-12

Description
Health insurance; retail community pharmacies. Requires a carrier to administer its health benefit plans in a manner consistent with certain requirements and to include such requirements in its provider contracts addressing the provision of pharmacy benefits management. The bill provides that (i) a covered individual is permitted to fill any mail order-covered prescription, at the covered individual's option, at any mail order pharmacy or network participating retail community pharmacy under certain conditions; (ii) the carrier or pharmacy benefits manager is prohibited from imposing a differential copayment, additional fee, rebate, bonus, or other condition on any covered individual who elects to fill his prescription at an in-network retail community pharmacy that is not similarly imposed on covered individuals electing to fill a prescription from a mail order pharmacy; and (iii) the pharmacy benefits manager is required to expressly disclose to the carrier in the contract if the pharmacy benefits manager retains all or a greater portion of a drug manufacturer's rebate amount or any additional direct or indirect remuneration from any third party for drugs dispensed through the pharmacy benefits manager-owned mail order pharmacy than the pharmacy benefits manager does for drugs dispensed through a retail community pharmacy. The bill also removes the exemption for a self-insured or self-funded employee welfare benefit plan under provisions regulating pharmacy benefits managers.

Primary Sponsors
Keith Hodges

State VA	Bill Number HB 1162	Last Action Governor Acts Of Assembly Chapter Text Chap 0319 2022 04 11	Status Enacted	Position Monitor	Priority None
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Title Health insurance; discrimination prohibited against covered entities and contract pharmacies. **Introduction Date:** 2022-01-14

Description
Health insurance; discrimination prohibited against covered entities and contract pharmacies. Prohibits carriers and pharmacy benefits managers from discriminating in the requirements, exclusions, terms, or other conditions imposed on a covered entity or contract pharmacy on the basis that the entity or pharmacy is operating under the 340B Program of the federal Public Health Service Act. Such prohibition does not (i) apply to drugs with an annual estimated per-patient cost exceeding \$250,000 or (ii) prohibit the identification of a 340B reimbursement request. The bill also prohibits a carrier or pharmacy benefits manager from interfering in a covered individual's right to choose a contract pharmacy or covered entity.

Primary Sponsors
Howard Otto Wachsmann

State	Bill Number	Last Action	Status	Position	Priority
VA	HB 1596	House Left In Commerce And Energy 2023 02 07	Failed	None	None

Title

Prescription Drug Affordability Board and Fund; established, report, drug cost affordability review.

Introduction Date: 2023-01-06**Labels:** Rx Affordability Board**Description**

Prescription Drug Affordability Board and Fund established; drug cost affordability review. Establishes the Prescription Drug Affordability Board for the purpose of protecting the citizens of the Commonwealth, state and local governments, commercial health plans, health care providers, pharmacies licensed in the Commonwealth, and other stakeholders within the health care system from the high costs of prescription drug products.

Primary Sponsors

Karrie Delaney

State	Bill Number	Last Action	Status	Position	Priority
VA	HB 2491	House Stricken From Docket By Commerce And Energy 20 Y 0 N 2023 02 02	Failed sine die	None	None

Title

Health insurance; pharmacy benefits managers, employee welfare benefit plans.

Introduction Date: 2023-01-20**Labels:** ERISA**Description**

Health insurance; pharmacy benefits managers; employee welfare benefit plans. Provides that entities providing or administering self-insured or self-funded employee welfare benefit plans are subject to provisions related to pharmacy benefits management, including certain prohibited conduct and recordkeeping requirements.

Primary Sponsors

Keith Hodges

State	Bill Number	Last Action	Status	Position	Priority
VA	SB 359	Governor Acts Of Assembly Chapter Text Chap 0283 2022 04 08	Enacted	Monitor	None

Title

Pharmacy benefits managers; frequency of required report.

Introduction Date: 2022-01-11**Description**

Pharmacy benefits managers; frequency of required report. Changes the frequency of which a carrier or its pharmacy benefits manager is required to report certain information to the Commissioner of Insurance. The bill provides that the report is to be filed quarterly through the period ending December 31, 2022, and is to be filed by March 31 of each year on a calendar year basis thereafter. Under current law, the report is required quarterly indefinitely.

Primary Sponsors

Richard Stuart

State	Bill Number	Last Action	Status	Position	Priority
VA	SB 376	Senate Left In Commerce And Labor 2022 11 21	Failed	None	None

Title

Prescription Drug Affordability Board; established, drug cost affordability review, report.

Introduction Date: 2022-01-11

Labels: Rx Affordability Board

Description

Prescription Drug Affordability Board; established; drug cost affordability review. Establishes the Prescription Drug Affordability Review Board for the purpose of protecting state residents, state and local governments, commercial health plans, health care providers, pharmacies licensed in the Commonwealth, and other stakeholders within the health care system from the high costs of prescription drug products.

Primary Sponsors

Chap Petersen

Title

Health insurance; carrier contracts, carrier provision of certain prescription drug information.

Introduction Date: 2022-01-11

Description

Health insurance; carrier disclosure of certain information. Requires each health insurance carrier, beginning July 1, 2025, to establish and maintain an online process that (i) links directly to e-prescribing systems and electronic health record systems that utilize the National Council for Prescription Drug Programs SCRIPT standard; (ii) can accept electronic prior authorization requests from a provider; (iii) can approve electronic prior authorization requests for which no additional information is needed by the carrier to process the prior authorization request, no clinical review is required, and that meet the carrier's criteria for approval; and (iv) otherwise meets the requirements of the relevant Code of Virginia section. The bill prohibits a carrier from (a) imposing a charge or fee on a participating health care provider for accessing the required online process required or (b) accessing, absent provider consent, provider data via the online process other than for the enrollee. The bill requires participating health care providers, beginning July 1, 2025, to ensure that any e-prescribing system or electronic health record system owned by or contracted for the provider to maintain an enrollee's health record has the ability to access the electronic prior authorization process established by a carrier and real-time cost information data for a covered prescription drug made available by a carrier. The bill provides that a provider may request a waiver of compliance for undue hardship for a period not to exceed 12 months. The bill requires any carrier or its pharmacy benefits manager to provide real-time cost information data to enrollees and contracted providers for a covered prescription drug, including any cost-sharing requirement or prior authorization requirements, and to ensure that the data is accurate. The bill requires that such cost information data is available to the provider in a format that a provider can access and understand such as through the provider's e-prescribing system or electronic health record system for which the carrier or pharmacy benefits manager or its designated subcontractor has adopted that utilizes the National Council for Prescription Drug Programs SCRIPT standard from which the provider makes the request. The bill requires the State Corporation Commission's Bureau of Insurance (the Bureau) to, in coordination with the Secretary of Health and Human Resources, establish a work group to evaluate and make recommendations to modify the process for prior authorization for drug benefits in order to maximize efficiency and minimize delays that include a single standardized process and any recommendations for necessary statutory or regulatory changes. The bill requires the work group to include relevant stakeholders,... (click bill link to see more).

Primary Sponsors

Siobhan Dunnavant

State	Bill Number	Last Action	Status	Position	Priority
VA	SB 957	House Left In Commerce And Energy 2023 02 22	Failed	None	None

Title

Prescription Drug Affordability Board and Fund; established, drug cost affordability review, etc.

Introduction Date: 2023-01-06**Labels:** Rx Affordability Board**Description**

Prescription Drug Affordability Board and Fund established; drug cost affordability review. Establishes the Prescription Drug Affordability Board for the purpose of protecting the citizens of the Commonwealth and other stakeholders within the health care system from the high costs of prescription drug products.

Primary Sponsors

Chap Petersen

State	Bill Number	Last Action	Status	Position	Priority
VA	SB 1338	Senate Passed By Indefinitely In Commerce And Labor With Letter 15 Y 0 N 2023 01 30	Failed sine die	None	None

Title

Health insurance; pharmacy benefits managers, employee welfare benefit plans.

Introduction Date: 2023-01-11**Description**

Health insurance; pharmacy benefits managers; employee welfare benefit plans. Provides that entities providing or administering self-insured or self-funded employee welfare benefit plans are subject to provisions related to pharmacy benefits management, including certain prohibited conduct and recordkeeping requirements.

Primary Sponsors

John Edwards

State	Bill Number	Last Action	Status	Position	Priority
VA	SB 1425	Senate Left In Commerce And Labor 2023 02 08	Failed	None	None

Title

Health insurance; ensuring fairness in cost-sharing.

Introduction Date: 2023-01-11**Description**

Health insurance; ensuring fairness in cost-sharing. Amends provisions related to rebates provided by carriers and health benefit plans to health plan enrollees by defining defined cost-sharing, price protection rebates, and pharmacy benefits management services. The bill requires that an enrollee's defined cost-sharing for each prescription drug shall be calculated at the point of sale based on a price that is reduced by an amount equal to at least 80 percent of all rebates received or expected to be received in connection with the dispensing or administration of the prescription drug.

Primary Sponsors

Monty Mason

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
VT	H 233	Read First Time And Referred To The Committee On Health Care 2023 02 14	In House	None	None	5.5% 50.9%

Title **Introduction Date:** 2023-02-14
An act relating to pharmacy benefit management and Medicaid wholesale drug distribution

Primary Sponsors
Mari Cordes

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
VT	S 151	Read 1st Time Referred To Committee On Health And Welfare 2023 04 27	In Senate	None	None	41.7% 54.6%

Title **Introduction Date:** 2023-04-27
An act relating to pay parity and transparency in health care

Primary Sponsors
Ginny Lyons

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
WA	HB 1253	First Reading Referred To Health Care Wellness 2023 01 12	In House	None	None	2.8% 76.6%

Title **Introduction Date:** 2023-01-12
Concerning pharmacy benefit managers.

Primary Sponsors
Monica Stonier

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
WA	HB 1269	Referred To Rules 2 Review 2023 02 14	In House	None	None	4.0% 75.3%

Title **Introduction Date:** 2023-01-12
Amending the prescription drug affordability board.

Labels: Rx Affordability Board

Primary Sponsors
Marcus Riccelli

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
WA	HB 1465	Public Hearing In The House Committee On Health Care Wellness At 1 30 Pm 2023 02 01	In House	None	None	2.6% 81.2%

Title **Introduction Date:** 2023-01-20
Concerning cost-sharing fairness.

Primary Sponsors
Marcus Riccelli

State	Bill Number	Last Action	Status	Position	Priority
WA	SB 5213	Senate Rules X File 2023 03 10	Failed	Support	None

Title
Concerning pharmacy benefit managers.

Primary Sponsors
Patty Kuderer

Introduction Date: 2023-01-10

Labels: Mail-order PBM enforcement
Pharmacy Reimbursements Rebates
Registration/Licensure Transparency and Disclosure

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
WA	SB 5445	Public Hearing In The Senate Committee On Health Long Term Care At 8 00 Am 2023 02 03	In Senate	None	None	2.5% 80.1%

Title
Concerning cost-sharing fairness.

Primary Sponsors
Ann Rivers

Introduction Date: 2023-01-18

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
WI	AB 43	Laid On The Table 2023 06 29	In Assembly	None	None	57.9% 68.8%

Title
state finances and appropriations, constituting the executive budget act of the 2023 legislature. (FE)

Description
An Act;

Primary Sponsors
Governor Tony Evers, Joint Finance Committee

Introduction Date: 2023-02-15

Labels: Drug Importation Fiduciary duty PSAOs
Rx Affordability Board

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
WI	AB 103	Representative Oldenburg Added As A Coauthor 2023 06 07	In Assembly	None	None	9.4% 67.4%

Title
application of prescription drug payments to health insurance cost-sharing requirements.

Description
An Act to amend 40.51 (8), 40.51 (8m), 66.0137 (4), 120.13 (2) (g), 185.983 (1) (intro.) and 609.83; and to create 632.862 of the statutes;

Primary Sponsors
Paul Tittl, David Armstrong, Lisa Subeck, Elijah Behnke, Scott Krug, Dave Murphy, Jeff Mursau, Donna Rozar, Michael Schraa, Clinton Anderson, Jimmy Anderson, Samba Baldeh, Mike Bare, Rob Brooks, Marisabel Cabrera, Dora Drake, Chanz Green, Rick Gundrum, Jenna Jacobson, Alex Joers, Jerry OConnor, Tod Ohnstad, Melissa Ratcliff, Jessie Rodriguez, Peter Schmidt, Ellen Schutt, Katrina Shankland, Christine Sinicki, John Spiros, Shelia Stubbs, Chuck Wichgers, Ryan Clancy, Darrin Madison

Introduction Date: 2023-03-14

Labels: Co-pay accumulator

State	Bill Number	Last Action	Status	Position	Priority
WI	SB 70	Received From Senate Item Veto B 7 Part 1 Sections 328 332 And 336 Individual Income Tax Rate Reduction Passed Notwithstanding The Objections Of The Governor 2023 09 14	Enacted	None	None

Title
state finances and appropriations, constituting the executive budget act of the 2023 legislature. (FE)

Introduction Date: 2023-02-15

Labels: Fiduciary duty PSAOs
Rx Affordability Board

Description
An Act;

Primary Sponsors
Governor Tony Evers, Joint Finance Committee

State	Bill Number	Last Action	Status	Position	Priority	FN Outlook
WI	SB 100	Representative Nedweski Added As A Cosponsor 2023 06 07	In Senate	None	None	2.7% 67.1%

Title
application of prescription drug payments to health insurance cost-sharing requirements.

Introduction Date: 2023-03-01

Labels: Co-pay accumulator

Description
An Act to amend 40.51 (8), 40.51 (8m), 66.0137 (4), 120.13 (2) (g), 185.983 (1) (intro.) and 609.83; and to create 632.862 of the statutes;

Primary Sponsors
Andre Jacques, Van Wanggaard, Tim Carpenter, Jesse James, Rachael Cabral-Guevara, LaTonya Johnson, Chris Larson, Romaine Quinn, Kelda Roys, Lena Taylor

State	Bill Number	Last Action	Status	Position	Priority
WV	HB 2678	Do Pass But First To Judiciary 2023 02 07	Failed sine die	None	None

Title
Authorizing the Insurance Commission to promulgate a legislative rule relating to pharmacy auditing entities and pharmacy benefit managers

Introduction Date: 2023-01-17

Labels: PBM enforcement

Primary Sponsors
Geoff Foster

State	Bill Number	Last Action	Status	Position	Priority
WV	SB 347	Reported In Com Sub For S B 345 2023 01 31	Failed sine die	None	None

Title
Authorizing Insurance Commission to promulgate legislative rule relating to pharmacy auditing entities and pharmacy benefit managers

Introduction Date: 2023-01-20

Labels: PBM enforcement

Primary Sponsors
Jack Woodrum

State	Bill Number	Last Action	Status	Position	Priority
WV	SB 520	Filed For Introduction 2023 01 31	Failed sine die	None	None

Title

Removing decrease in amount of certain benefits PEIA employees are entitled to at 65

Introduction Date: 2023-01-31**Primary Sponsors**

Eric Nelson

State	Bill Number	Last Action	Status	Position	Priority
WV	SB 557	Filed For Introduction 2023 02 03	Failed sine die	None	None

Title

Providing that pharmacy may decline to dispense prescription drug where reimbursement is less than pharmacy's cost

Introduction Date: 2023-02-03**Labels:** Protections from under-reimbursementTransparency and Disclosure**Primary Sponsors**

Mike Maroney

State	Bill Number	Last Action	Status	Position	Priority
WY	HB 191	H Died In Committee Returned Bill Pursuant To Hr 5 4 2023 02 07	Failed	None	None

Title

Pharmacy benefit manager act enhancements.

Introduction Date: 2023-01-18**Description**

AN ACT relating to pharmacy benefit managers; requiring reporting on pharmacy benefit manager audits; regulating the conduct of pharmacy benefit managers; providing monetary reimbursement level requirements; amending provisions governing pharmacy benefit manager audits; requiring fee transparency; amending provisions governing maximum allowable cost appeals; regulating pharmacy benefit managers regarding the state employees' and officials' group insurance program; allowing groups to contract with insurers, preferred provider organizations or health maintenance organizations as specified; clarifying application of the Health Care Reimbursement Reform Act of 1985 to pharmacy benefit managers; providing definitions; making conforming amendments; repealing unnecessary definitions; requiring rulemaking; amending rulemaking authority; authorizing positions; providing appropriations; and providing for effective dates.

Primary Sponsors

Dalton Banks

Title

Wyoming prescription drug transparency act.

Description

AN ACT relating to the insurance code; prohibiting specified actions by pharmacy benefit managers; allowing individuals to choose in network retail pharmacies as specified; providing definitions; excluding certain claims as specified; amending a definition; requiring pharmacy benefit managers to provide contact information as specified; amending the process for when a maximum allowable cost appeal is denied; requiring pharmacy benefit managers to allow pharmacies to file appeals in electronic batch formats; requiring pharmacy benefit managers to reimburse pharmacies as specified; authorizing pharmacies to decline to provide pharmacy services as specified; making conforming amendments; requiring rulemaking; providing appropriations; and providing for effective dates.

Primary Sponsors

Lynn Hutchings

Introduction Date: 2023-01-21

- Labels:** Patient steering PBM enforcement
Pharmacy Reimbursements Provider networks
Retroactive Reimbursement Adjustments
Transparency and Disclosure

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