

HB1307/356185/2

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1307

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and K. Young” and substitute “K. Young, Bagnall, Barron, Belcastro, Charles, Chisholm, Cullison, Hill, Kelly, Krebs, R. Lewis, Pena–Melnyk, Pendergrass, Reilly, Rosenberg, Saab, and Sample–Hughes”; in line 2, strike “Network Adequacy” and substitute “Credentialing”; strike beginning with “requiring” in line 3 down through “regulations;” in line 6; in line 8, strike “accreditation, certification, or”; in line 9, after “network” insert “with certain frequency or charging a pharmacy or pharmacist a certain fee”; strike beginning with “authorizing” in line 9 through “circumstances;” in line 15 and substitute “repealing certain circumstances under which a pharmacy benefits manager or purchaser is authorized to charge certain fees or hold certain pharmacies responsible for certain reimbursement that the pharmacy benefits manager or purchaser is otherwise prohibited from doing; prohibiting a pharmacy benefits manager or purchaser from reducing certain payment for certain pharmacy services under certain circumstances; providing for the application of this Act; providing for a delayed effective date;”; in line 16, strike “, network adequacy, and reimbursement”; and strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On pages 2, strike in their entirety lines 3 through 22, inclusive.

On page 3, strike in their entirety lines 3 through 8, inclusive, and substitute:

“(2) (I) THIS PARAGRAPH DOES NOT APPLY TO A REQUIREMENT THAT A SPECIALTY PHARMACY OBTAIN NATIONAL CERTIFICATION TO BE CONSIDERED A SPECIALTY PHARMACY IN A PHARMACY BENEFITS MANAGER’S OR PURCHASER’S NETWORK.

(II) FOR PURPOSES OF CREDENTIALING A PHARMACY OR A PHARMACIST AS A CONDITION FOR PARTICIPATING IN A PHARMACY BENEFITS

(Over)

MANAGER’S OR PURCHASER’S NETWORK, THE PHARMACY BENEFITS MANAGER
OR PURCHASER MAY NOT:

1. REQUIRE A PHARMACY OR PHARMACIST TO RENEW
CREDENTIALING MORE FREQUENTLY THAN ONCE EVERY 3 YEARS; OR

2. CHARGE A PHARMACY OR PHARMACIST A FEE FOR
THE INITIAL CREDENTIALING OR RENEWING CREDENTIALING.”;

and strike in their entirety lines 20 through 23, inclusive.

AMENDMENT NO. 3

On page 4, strike beginning with “that” in line 12 down through “claim]” in line 15; and strike in their entirety lines 16 through 20, inclusive, and substitute:

“(B) A PHARMACY BENEFITS MANAGER OR PURCHASER MAY NOT MAKE
OR ALLOW ANY REDUCTION IN PAYMENT FOR PHARMACY SERVICES BY A
PHARMACY BENEFITS MANAGER OR PURCHASER OR DIRECTLY OR INDIRECTLY
REDUCE A PAYMENT FOR A PHARMACY SERVICE UNDER A RECONCILIATION
PROCESS TO AN EFFECTIVE RATE OF REIMBURSEMENT, INCLUDING GENERIC
EFFECTIVE RATES, BRAND EFFECTIVE RATES, DIRECT AND INDIRECT
REMUNERATION FEES, OR ANY OTHER REDUCTION OR AGGREGATE REDUCTION
OF PAYMENTS.”.

AMENDMENT NO. 4

On page 4, before line 21, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to
all policies, contracts, and health benefit plans issued, delivered, or renewed in the
State on or after January 1, 2021.”;

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in line 21, strike “2.” and substitute “3.”; and in lines 21 and 22, strike “June 1, 2020” and substitute “January 1, 2021”.