

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO SENATE BILL NO. 637

Sponsor:

Printer's No. 716

1 Amend Bill, page 1, lines 12 and 13, by striking out all of
2 said lines and inserting
3 providing for pharmaceutical pricing transparency.

4 Amend Bill, page 1, lines 19 through 23; page 2, lines 1
5 through 27; by striking out all of said lines on said pages and
6 inserting

7 Section 635.8. Pharmaceutical Pricing Transparency.--(a)
8 The Insurance Department shall annually collect information on
9 pharmaceutical retail pricing.

10 Amend Bill, page 2, line 28, by striking out "(c)" and
11 inserting

12 (b)

13 Amend Bill, page 2, line 29, by striking out "commission" and
14 inserting

15 department

16 Amend Bill, page 4, by inserting between lines 15 and 16

17 (vi) The aggregate amount of all rebates that the
18 manufacturer has provided to all payers, including, but not
19 limited to, insurers and pharmacy benefit managers, for the sale
20 of each drug within this Commonwealth.

21 Amend Bill, page 4, line 20, by striking out "(d)" and
22 inserting

23 (c)

24 Amend Bill, page 4, line 20, by striking out "(c)" and
25 inserting

26 (b)

1 Amend Bill, page 4, lines 23 through 30, by striking out all
2 of said lines and inserting

3 (d) A health insurer shall include the aggregate amount of
4 rebates it has received from pharmacy benefit managers or drug
5 manufacturers for the preceding calendar year in its annual
6 statement filed with the department. The department shall verify
7 that all such rebates are passed on to an insurer's customer in
8 any rate filing with the department.

9 (e) Pharmacy benefit manager or insurer contracts with
10 pharmacies may not contain a provision that prohibits
11 pharmacists from disclosing information to a customer that would
12 reduce the customer's out-of-pocket costs for prescription
13 drugs.

14 Amend Bill, page 5, line 1, by striking out "The commission,
15 in conjunction with the" and inserting

16 The

17 Amend Bill, page 5, line 2, by striking out the comma after
18 "Department"

19 Amend Bill, page 5, line 4, by inserting after "section."

20 The department may only include in the public report the
21 aggregate amount of rebates paid for each drug and shall not
22 disclose the identity of any individual payer.

23 (g) For purposes of this section, the term "manufacturer"
24 does not include a person that engages in a business that only
25 repackages or relabels prescription drugs.

26 Section 2. This act shall apply to any new or renewed
27 contract on or after January 1, 2018.

28 Amend Bill, page 5, line 5, by striking out "2" and inserting

29 3