

**SENATE CHAMBER**

STATE OF OKLAHOMA

**FLOOR AMENDMENT**

No. \_\_\_\_\_

DISPOSITION BY SENATE

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(Date)

Mr./Madame President:

I move to amend Senate Bill No. 1549, Page 11, Line 13 ½, as follows:

By adding the attached language and renumbering subsequent section.

Submitted by:

\_\_\_\_\_  
Senator Rice

Rice-FA-JM-SB1549  
3/5/2008 3:58 PM

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-141 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The State Department of Health shall establish and maintain an “Oklahoma Prescription Drug Retail Price Registry” for the purpose of making retail price information for the one hundred fifty most frequently prescribed prescription drugs in the state readily available to consumers.

1. For the purpose of establishing the registry, the Department shall obtain drug retail price information for these prescription drugs which indicates the actual price to be paid to a pharmacy by a retail purchaser for a listed drug at the listed dosage, from data collected by the Department that includes the charge for the cost of the medication and the dispensing fee, and does not exceed the usual and customary or posted or advertised charge by the pharmacy. The registry shall conform to any requirements of state or federal law regarding the confidentiality and use of the information contained therein;

2. The registry shall include the information obtained by the Department pursuant to paragraph 1 of this subsection and shall be updated by the Department at last monthly to reflect the most current information obtained by the Department;

3. The registry shall be organized by the Department in a format that is conducive to review and comparison by consumers of prescription drug retail prices charged by pharmacies in each city and zip code within the state and shall include the name and address of each pharmacy.

B. The Department shall make available electronically on its Internet website the information contained in the registry and shall provide the information to consumers upon request by means of a toll-free telephone service operated by the Department. The information made available on the Internet website shall:

1. Be organized to meet the requirements of paragraph 3 of subsection A of this section and be designed so that the consumer may download and print the displayed information;

2. Include Internet web links to other governmental information resources that provide information relating to the regulation of prescription drugs and state and federal health care coverage and pharmaceutical assistance programs;

3. Include an advisory statement by the Department alerting consumers of the need to tell their health care provider and pharmacist about all the medications they may be taking and to ask them how to avoid harmful interactions between those drugs, if any; and

4. Contain clearly understandable language that is designed to assist consumers in understanding the content of, and how to access, the information made available on the website pursuant to this section.

C. The Department may require each pharmacy in the state to furnish the Department such information as the Department deems necessary to effectuate the provisions of this section.

D. The Department may contract with a public or private entity for the purpose of developing, administering, and maintaining the registry established pursuant to this section. The contract shall specify the duties and responsibilities of the entity with respect to the development, administration, and maintenance of the registry. The Department shall monitor the work of the entity to ensure that the registry is developed, administered, and maintained pursuant to the requirements of this act.

E. The Department shall establish the website by January 1, 2009.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-142 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The State Department of Health shall prepare at least annually, and shall make available to each pharmacy in the state, without charge, a list of the one hundred fifty most frequently prescribed prescription drugs that includes the usual dosages prescribed for each drug.

B. Each pharmacy in the state shall maintain a prescription drug retail price list, which contains the names of the drugs on the list provided by the Department pursuant to subsection A of this section and the retail price for each drug on the list charged at that pharmacy, including the date

of the update of the retail price list, and shall make the prescription drug retail price list available to customers upon request.

1. The prescription drug retail price list shall include an advisory statement prepared by the Department alerting consumers of the need to tell their health care provider and pharmacist about all the medications that they may be taking and ask them how to avoid harmful interactions between those drugs, if any;

2. The pharmacy shall post a sign that notifies customers of the availability of the drug retail price list in a conspicuous location that is:

- a. at or adjacent to the place where prescriptions are presented for compounding and dispensing,
- b. in the waiting area for customers, or
- c. in the area where prescribed drugs are delivered.

C. The provisions of this section shall not be construed to prevent a pharmacy from changing or charging the current retail price at any time, provided that the listed price is updated at least weekly to reflect the new retail price.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-143 of Title 63, unless there is created a duplication in numbering, reads as follows:

The State Board of Health shall promulgate rules as necessary to implement the provisions of this act.