

BILL SUMMARY
2nd Session of the 57th Legislature

Bill No.:	HB 3481
Version:	Proposed Committee Substitute
Request Number:	11214
Author:	McEntire
Date:	2/25/2020
Impact:	Pending

Research Analysis

The PCS to HB 3481 requires a pharmacy management consultant (PMC) to reimburse pharmacies at least the usual and customary price, the National Average Drug Acquisition Cost (NADAC), the wholesale acquisition cost, or the pharmacy's wholesale acquisition cost. Further, PMCs are prohibited from utilizing mail order pharmacies. The measure creates a fiduciary duty between the PMC and its clients, including retaining manufacturer rebates and amounts as a result of spread pricing. PMCs contracting with the Oklahoma Health Care Authority are directed to provide an annual financial report by November 1. The report must include:

- Amounts paid from drug manufacturers or wholesalers,
- Drug manufacturer rebates,
- Pharmacy claims payments,
- Average cost reimbursement by drug to PMC-owned and non-PMC-owned pharmacies, and
- Pharmacy fees,

Lastly, the measure defines the terms *pharmacy management consultant* as any pharmaceutical consultant or pharmacy benefit manager, and *spread pricing* as the practice of a PMC claiming an amount exceeding the amount paid to pharmacy to fill a prescription.

Prepared By: Anna Rouw

Fiscal Analysis

The fiscal impact for HB 3481, including the proposed committee subs, is pending.

Prepared By: Stacy Johnson

Other Considerations

None.