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AS AMENDED

By: Marti and Davis of the
House

Garvin of the Senate

[pharmacies - creating certain requirements]

~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

A. As used in this section:

2. "White bagged drugs" means the distribution of

patient-specific medication from a pharmacy, typically a specialty pharmacy, to the physician's office, hospital, or clinic for administration.

1 B. All pharmaceutical drug plans and pharmacy benefit managers
2 in this state shall not refuse to authorize, approve, or pay a
3 participating provider for providing covered physician-administered
4 drugs to covered persons.

5 C. All white bagged drugs shall meet supply chain security
6 controls set forth by the federal Drug Supply Chain and Security
7 Act.

8 D. Plan providers shall not require a patient to self-
9 administer an injectable drug against a provider's recommendation.

10 E. Plans shall not require patients to pay additional fees
11 beyond cost-sharing obligations as outlined in the individual's
12 plan.

13 F. Patients and providers shall determine a billing pathway
14 based on patient's best interest.

15 G. Any payer in violation of this section shall be fined a
16 minimum of Five Thousand Dollars (\$5,000.00) per violation, but not
17 more than Ten Thousand Dollars (\$10,000.00) per violation. Fines
18 related to this section shall not be used when calculating payers,
19 plans, or members loss ratios and losses shall not be passed on to
20 the consumer in future rate increases.

21 H. A health care facility or health care provider shall be
22 immune from civil liability for any loss or harm to a person due to
23 their health insurance plan utilizing white bagged drugs caused by
24 an act or omission by the facility or provider that occurs during

1 the process outlined in this act if the act or omission was not the
2 result of gross negligence or willful or wanton misconduct of the
3 health care facility of health care provider rendering the health
4 care services.

5 COMMITTEE REPORT BY: COMMITTEE ON RETIREMENT AND INSURANCE
6 April 11, 2022 - DO PASS AS AMENDED
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