

**BILL SUMMARY**  
1<sup>st</sup> Session of the 58<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB737</b>
<b>Version:</b>	<b>ENGR</b>
<b>Request Number:</b>	<b>NA</b>
<b>Author:</b>	<b>McEntire</b>
<b>Date:</b>	<b>4/5/2021</b>
<b>Impact:</b>	<b>Please see previous summary of this measure</b>

**Research Analysis**

SB 737 adds the following definitions to the Patient's Right to Pharmacy Choice Act:

- Provider
- Spread pricing

The measure reduces the response time afforded to pharmacy benefit managers (PBM) to respond to an inquiry from the Insurance Commissioner from 30 days to 20 days.

The measure prohibits any pharmacy benefits manager from engaging in the practice of spread pricing as defined in the act. The measure also removes certain authority and powers from the Patient's Right to Pharmacy Choice Advisory Committee such as subpoena power and the power to hold hearings. The measure specifies for the Advisory Committee to review complaints and make a recommendation to the Commissioner as to administrative action to be taken against pharmacy benefits managers pursuant to this act. The measure specifies the length of terms for committee members.

The measure authorizes the Insurance Commissioner to censure, suspend, revoke or refuse to renew a license of or levy a civil penalty against any person licensed under the insurance laws of Oklahoma for any violation of the Patient's Right to Pharmacy Choice Act. The measure also authorizes the Insurance Commissioner to assess a civil fine in addition to any other fines levied against a pharmacy benefits manager ranging from \$100.00 to \$10,000 and may be enforced in the same manner as civil judgements are enforced.

Prepared By: Dan Brooks

**Fiscal Analysis**

The measure is currently under review and impact information will be completed.

Prepared By: Mark Tygret

**Other Considerations**

None.

