

BILL SUMMARY
1st Session of the 58th Legislature

Bill No.:	SB821
Version:	enr
Request Number:	
Author:	Rep. McEntire and McCortney, et al
Date:	4/6/2021
Impact:	No impact

Research Analysis

SB 821 defines pharmacy benefits management as it relates to the Patient's Right to Pharmacy Choice Act and broadens the definition of pharmacy benefits manager (PBM) to include any entity performing pharmacy benefits management activities. The measure adds the definition of retail pharmacy or provider to the act. The measure modifies prohibition on pharmacy benefit managers. It specifies that a provider contract will not prohibit, restrict, or penalize a pharmacy or pharmacist for disclosing to an individual any health care information that the pharmacy deems appropriate regarding risks or alternatives to the prescription drug being dispensed, the availability of alternative therapies, the decision to authorize or deny services, and the process that is used to authorize or deny healthcare services.

The measure allows a pharmacy or pharmacist to discuss information regarding the total cost of pharmacist services for a prescription drug or selling a more affordable alternative to the covered person. Health insurers or PBMs are also prohibited from incentivizing or requiring customers to differentiate between in-network pharmacies, whether that pharmacy is in a preferred or nonpreferred network, a retail pharmacy, mail order pharmacy, or any other type of pharmacy.

Prepared By: Dan Brooks

Fiscal Analysis

After review, SB 821 has no fiscal or revenue considerations to the state.

Prepared By: Stacy Johnson

Other Considerations

None.