

Bill Summary
2nd Session of the 58th Legislature

Bill No.:	SB 1860
Version:	FS
Request No.:	3735
Author:	Sen. McCortney
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Bill Analysis

The FS for SB 1860 excludes any self-funded plan administered by an employee or organized labor union who negotiates and executes all provider contracts directly with a pharmacy service administrative organization as well as providers that do not use a pharmacy services administrative organization from the category of “pharmacy benefits manager (PBM)” in the Patient’s Right to Pharmacy Choice Act. The measure additionally prohibits any PBM from requiring patients to use pharmacies that are directly affiliated with the PBM in addition to any pharmacy owned indirectly or directly by the PBM as provided for in current law. The measure also prohibits deny the right of a pharmacy to engage with any pharmacy network whether in-network, preferred, or otherwise instead of prohibiting such pharmacies from engaging with a preferred network. Additionally, the measure provides that pharmacy contracts may not prohibit a pharmacy or pharmacist from discussing information regarding the total cost of pharmacist services for a prescription drug or from selling a more affordable alternative to the covered person if such alternative is available. Such contracts may not differentiate between different in-network pharmacies. The FS clarifies that nothing in this measure shall be construed to prohibit a person or entity participating in pharmacy benefits management activities from directing a patient to use a specific pharmacy for the purchase of a specialty drug as defined in the measure.

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