

Bill Summary
1st Session of the 59th Legislature

Bill No.:	SB 768
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Author:	Sen. Hicks
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Bill Analysis

SB 768 requires any pharmacy benefits manager (PBM) to provide the Insurance Department with the minimum and maximum wholesale acquisition cost (WAC) of a drug, the minimum and maximum WAC for each indicated drug and drug group for which the PBM has negotiated directly with the manufacturer, the number of WAC units that were negotiated in the current calendar year, the projected number of WAC units in the current calendar year, rebates and discounts negotiated, projected rebates and discounts, total discounts, projected total discounts, total net income, and projected total net income. Manufacturers shall be required to notify the Department of any increase in the WAC if such an increase 20% of the current cost. Additionally, manufacturers must disclose if they plan to introduce a drug exceeding \$670.00 per WAC unit. Distributors shall provide the Department with information in a similar manner as PBM's. Insurers are directed to report spending on prescription drugs before enrollee cost sharing, in total and per prescription drug user, and spending on the top 25 prescription drugs. The report shall also contain information outlined in the measure. Each reporting entity outlined in the measure shall be required to register with the Department beginning January 1, 2024, no later than January 31 of each calendar year. Such entities shall annually pay a \$100.00 fee to the Department to register. The Department may impose a maximum \$30,000.00 civil penalty on any entity that fails to comply with registration requirements. The Department is directed to publish on its website an annual report on emerging trends in prescription drug prices as well as conduct public hearings based on the report findings beginning July 1, 2024.

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