

BILL SUMMARY
2nd Session of the 60th Legislature

Bill No.:	HB 3538
Version:	POLPCS1
Request Number:	15983
Author:	Rep. Marti
Date:	2/13/2026
Impact:	\$0

Research Analysis

The proposed policy committee substitute for HB 3538 prohibits pharmacy benefit managers (PBMs) from holding any retail pharmacy license in the state. However, the Oklahoma State Board of Pharmacy may issue limited-use licenses for rare, orphan, or limited-distribution drugs that are otherwise unavailable. The board may temporarily extend or renew retail licenses for pharmacies providing critical patient services if a sale to an eligible buyer is pending. Certain employer-owned pharmacies that exclusively serve their employees and dependents through an affiliated PBM are exempt. These special provisions expire September 1, 2028.

Additionally, the board must conduct an initial assessment of all active retail pharmacy licenses as of July 1, 2026, and notify any pharmacy expected to violate the new rules at least 90 days before January 1, 2027. Pharmacies receiving notice must inform patients and their prescribing providers by December 31, 2027, that they will no longer dispense retail drugs.

Prepared By: Autumn Mathews, House Research Staff

Fiscal Analysis

The proposed policy committee substitute for HB 3538 creates new law and amends certain statutory definitions to promote a fair market and restrict anticompetitive business tactics related to pharmacy services. The measure does not mandate additional obligations for state agencies, nor does it appropriate funds or alter state revenue sources. Therefore, the measure is not anticipated to have a direct fiscal impact on the state budget or appropriations.

Prepared By: Zach Lein, House Fiscal Staff

Other Considerations

None.