

BILL SUMMARY
1st Session of the 60th Legislature

Bill No.:	SB 789
Version:	ENGR
Request Number:	
Author:	Stinson
Date:	4/7/2025
Impact:	Please see previous summary of this measure

Research Analysis

The engrossed version SB 789 provides that the entity conducting the audit of a pharmacy will permit a pharmacy to use drug purchase records without limitation of date or source to validate the dispensing of a prescription drug or a controlled dangerous substance, provided that it was done in accordance with the law. The measure adds a definition of *effective rate contracting* to statute. The measure provides that no pharmacy benefits manager (PBM) can lease, rent, or otherwise make its provider network available to another PBM. The PBM must ensure that reimbursement to pharmacies for each drug dispensed is no less than 106% of the National Average Drug Acquisition Cost plus a professional fee of \$15. If the drug does not have a published price, the reimbursement will be 110% of the wholesale acquisition cost plus the professional fee. Effective rate contracting is prohibited in all agreements between pharmacies and a PBM. Any PBM in violation of this will be subject to penalties. The provisions of this section will not be waived, voided, or nullified by contract.

Prepared By: Suzie Nahach, House Research Staff

Fiscal Analysis

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

Prepared By: House Fiscal Staff

Other Considerations

None.