

Sixty-first  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO.

Introduced by

Representative Kasper

1 A BILL for an Act to create and enact two new subsections to section 26.1-27.1-05 of the North  
2 Dakota Century Code, relating to required contents of pharmacy benefits management  
3 agreements.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** Two new subsections to section 26.1-27.1-05 of the North Dakota Century  
6 Code are created and enacted as follows:

7 Unless otherwise prohibited by law, an agreement between a pharmacy benefits  
8 manager and a covered entity or between a pharmacy benefits manager and an  
9 employer providing coverage under a self-funded plan must include a provision  
10 allowing the covered entity or the employer to request a monthly report from the  
11 pharmacy benefits manager which discloses to the covered entity or employer  
12 de-identified information summarizing each claim handled during the previous  
13 month under the agreement. The report must include the amount reimbursed by  
14 the pharmacy benefits manager for each prescription dispensed, the amount the  
15 covered individual or patient was required to pay for each prescription dispensed,  
16 the amount the pharmacy benefits manager paid to the pharmacy for each  
17 prescription dispensed, and the amount the covered entity or employer was  
18 charged for each prescription dispensed. The report also must include a detailed  
19 summary listing the amount of any rebate or other revenue that the pharmacy  
20 benefits manager received from a pharmaceutical manufacturer or labeler for any  
21 prescription dispensed.

22 An agreement between a pharmacy benefits manager and a covered entity or  
23 between a pharmacy benefits manager and an employer providing coverage under

- 1            a self-funded plan must include a provision requiring that the dispenser of a
- 2            prescription include on the prescription receipt for each prescription the amount
- 3            charged to the covered entity or the employer that sponsored the plan.