

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 monthly, quarterly, and
11 annual reports from the pharmacy benefits manager which disclose to the covered
12 entity or employer de-identified information summarizing each claim handled during
13 the reporting period. The report must include the amount reimbursed by the
14 pharmacy benefit 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 benefit manager paid to the pharmacy for each
17 prescription dispensed, and the amount the covered entity or employer was
18 charged for each prescription.

19 The report must also include a detailed summary listing the amount of any rebate
20 or other revenue that the pharmacy benefits manager received from a
21 pharmaceutical manufacturer or labeler for any 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
24 a self-funded plan must include a provision requiring that the dispenser of a

- 1 prescription include on the prescription receipt the amount charged to the covered
- 2 entity or the plan sponsor for that prescription.