

Sixty-sixth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1374**

Introduced by

Representatives M. Nelson, Holman

1 A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota  
2 Century Code, relating to a department of human services pharmacy benefits management  
3 program; to provide a continuing appropriation; and to provide for application.

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

5 **SECTION 1.** A new section to chapter 50-06 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Pharmacy benefits management program - Pharmacy benefits management fund -**  
8 **Continuing appropriation.**

9 1. The department of human services ~~shall~~may establish a pharmacy benefits  
10 management program for use by the medical assistance program, including Medicaid  
11 expansion; and the public employees retirement system uniform group insurance  
12 program for prescription drug coverage; and private sector employers. The department  
13 shall charge the public employees retirement system and private employers for  
14 pharmacy benefits management services received under this section.

15 2. The pharmacy benefits management fund is established in the state treasury. The  
16 department shall deposit into the fund all moneys received for providing pharmacy  
17 benefits management services. There is appropriated to the department on a  
18 continuing basis all moneys deposited into the fund and interest upon moneys in the  
19 fund for the purpose of implementing the pharmacy benefits management program.

20 3. The department is not subject to chapters 19-03.6 or 26.1-27.1 for purposes of the  
21 provision of pharmacy benefits management services under this section.

22 **SECTION 2. APPLICATION.** The public employees retirement system shall contract with  
23 the department of human services for pharmacy benefits management services at the first  
24 opportunity to contract for prescription drug coverage arising on or after the effective date of this

- 1 Act. The department of human services shall provide pharmacy benefits management services
- 2 for the Medicaid expansion program at the first opportunity to contract for prescription drug
- 3 coverage arising on or after the effective date of this Act.