

February 18, 2015

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1041

Page 1, line 2, remove "; and to"

Page 1, line 3, remove "provide for application"

Page 1, remove lines 19 through 24

Page 2, remove line 1

Page 2, line 2, replace "department, the" with "The"

Page 2, line 2, remove "pharmacy benefit"

Page 2, line 3, replace "manager" with "private carrier"

Page 2, line 3, remove "provide for"

Page 2, replace lines 4 through 11 with:

- "a. Provide a reimbursement methodology for all medications and dispensing fees which identifies minimum and maximum amounts paid to pharmacy methodology, at a minimum, must:
  - (1) Be available on the department's website; and
  - (2) Encompass all types of pharmacy providers regardless of whether the pharmacy benefits are being paid through the private carrier or contractor or subcontractor of the private carrier under this section.
- b. Provide full transparency of all costs and all rebates in aggregate.
- c. Allow an individual to obtain medication from a pharmacy that provides mail order service; however, the contract may not require only mail order.
- d. Ensure that pharmacy services obtained in jurisdictions other than this state and its three contiguous states are subject to prior authorization and reporting to the department for eligibility verification.
- e. Ensure the payments to pharmacy providers do not include a required payback amount to the private carrier or one of its contractors or subcontractors that is not representative of the amounts allowed under the reimbursement methodology provided in subdivision a.
- f. Any information provided to the department of human services or any audit firm by a pharmacy benefit manager under this section is confidential under section 44-04-17.1."

Page 2, remove lines 12 through 15

Renumber accordingly