

Arnold  
1584  
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Section 26.1-27.1-02 - Licensing

A person may not perform or act as a pharmacy benefits manager in this state unless that person holds a certificate of registration as an administrator under chapter 26.1-27.

1. A person may not establish or operate as a pharmacy benefits manager in the state without first obtaining a license from the commissioner pursuant to this section. Any person violating this subsection is guilty of a class C felony.

2. A person applying for a pharmacy benefit manager license shall submit an application to the commissioner. The commissioner shall make an application form available on its publicly accessible internet website that includes a request for the following information:

a. The identity, address, and telephone number of the applicant;

b. The name, business address, and telephone number of the contact person for the applicant;

c. When applicable, the federal employer identification number for the applicant; and

d. Any other information the commissioner considers necessary and appropriate to establish the qualifications to receive a license as a pharmacy benefit manager to complete the licensure process.

Section 26.1-27.1-02.1 - License Term and Fee

1. The term of licensure shall be one year from April thirtieth through March thirty-first.

2. The pharmacy benefit manager shall pay an annual renewal fee no later than April thirtieth.

3. The commissioner shall determine the amount of the initial application fee and the renewal application fee for the registration. The fee shall be submitted by the applicant with an application for registration. An initial application fee is nonrefundable. A renewal application fee shall be returned if the renewal of the registration is not granted.

4. The amount of the initial application fee is two hundred fifty dollars. The pharmacy benefit manager shall pay an annual fee of one hundred dollars to maintain the license.

5. Each application for a license, and subsequent renewal for a license, shall be accompanied by evidence of financial responsibility in an amount of one million dollars.

Section 26.1-27.1-02.2 - Application

1. Upon receipt of a completed application, evidence of financial responsibility, and fee, the commissioner shall make a review of each applicant and shall issue a license if the applicant is qualified in accordance with the provisions of this section and the rules promulgated by the commissioner pursuant to this section. The commissioner may require additional information or submissions from an applicant and may obtain any documents or information reasonably necessary to verify the information contained in the application.

2. The license may be in paper or electronic form, is nontransferable, and shall prominently list the expiration date of the license.