

Hall of the House of Representatives
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of House Bill No. 1241

"AN ACT TO ESTABLISH THE ARKANSAS RX PROGRAM."

Amendment No. 1 to House Bill No. 1241.

Amend House Bill No. 1241 as originally introduced:

Page 2, delete lines 14 through 17 and substitute the following:

"(4) "Labeler" means a person or entity that:"

AND

Page 2, line 22 delete "(6)" and substitute "(5)"

AND

Page 2, line 24, delete "(A)" and substitute "(A)(i)"

AND

Page 2, delete lines 25 and 26 and substitute the following:

"(ii) Another business licensed to dispense
prescription drugs in this state.

(B) "Participating retail pharmacy" does not mean a mail-
order pharmacy; and"

AND

Page 2, line 27 delete "(7)" and substitute "(6)"

AND

Page 3, delete lines 2 through 4 and substitute the following:

"for eligibility determination purposes."

AND

Page 3, delete line 24 and substitute the following:

"schedule established by the department.

(c)(1) A penalty of ten percent (10%) of the total rebate amount shall



be assessed for any rebate not paid by the manufacturer or labeler in accordance with subsection (b) of this section or pursuant to terms established by the Director of the Department of Human Services.

(2) An additional penalty of five percent (5%) of the total delinquent amount shall be assessed each quarter that delinquent rebates remain unpaid to the state.

(d) The Attorney General may file suit in Pulaski County Circuit Court to enforce rebate agreements and to collect delinquent rebates."

AND

Page 4, delete lines 3 through 7 and substitute the following:

"(d) To assist with the rebate program under this subchapter, the director shall use his or her best efforts to obtain a rebate equal to or greater than the amount of price reduction for prescription drugs provided to the United States government."

AND

Page 4, line 10 delete "(a)"

AND

Page 4, delete lines 11 through 22 and substitute the following:

"qualified residents at the ordinary and customary retail price less any applicable rebate established under this subchapter."

AND

Page 4, delete lines 34 and 35 and substitute the following:

"department in order to determine the appropriate rebates."

AND

Page 5, delete lines 1 and 2 and substitute the following:

"participating retail pharmacy for the applicable rebate provided to qualified"

AND

Page 6, delete lines 3 and 4 and substitute the following:

"(1) Retail pharmacies for rebates provided under this subchapter; and"

AND

Page 6, delete lines 33 through 35 and substitute the following:

"(2) Provide the benefits of this program to enrollees in other"

The Amendment was read _____
By: Representative McDaniel
MGF/JGH - 02-01-2005 09:40 _____
MGF130 Chief Clerk