

ARKANSAS SENATE
92nd General Assembly - Regular Session, 2019
Amendment Form

Subtitle of Senate Bill No. 520

TO CLARIFY THE STATE INSURANCE DEPARTMENT'S REGULATORY AND ENFORCEMENT
AUTHORITY CONCERNING PHARMACY BENEFITS MANAGERS; TO MODIFY THE ARKANSAS
PHARMACY BENEFITS MANAGER LICENSURE ACT; AND TO DECLARE AN EMERGENCY.

Amendment No. 5 to Senate Bill 520

Amend Senate Bill No. 520 as engrossed, S4/2/19 (version: 04/02/2019 03:13:33 PM)

Delete the title in its entirety and substitute:

"AN ACT TO CLARIFY THE STATE INSURANCE DEPARTMENT'S REGULATORY AND
ENFORCEMENT AUTHORITY CONCERNING PHARMACY BENEFITS MANAGERS; TO MODIFY THE
ARKANSAS PHARMACY BENEFITS MANAGER LICENSURE ACT; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

"TO CLARIFY THE STATE INSURANCE
DEPARTMENT'S REGULATORY AND ENFORCEMENT
AUTHORITY CONCERNING PHARMACY BENEFITS
MANAGERS; AND TO MODIFY THE ARKANSAS
PHARMACY BENEFITS MANAGER LICENSURE ACT."

AND

Page 2, delete lines 21 through 36

AND

Page 3, delete lines 1 through 20

AND

Page 4, delete lines 10 and 11, and substitute the following:

"(b) Being below the pharmacy acquisition
cost."

AND



Page 4, delete lines 30 and 31, and substitute the following:
"cost list payment to at least the pharmacy acquisition cost;"

AND

Page 5, delete lines 13 and 14, and substitute the following:
"challenging pharmacy's pharmacy acquisition cost and permit"

AND

Page 5, delete line 25, and substitute the following:
"the pharmacy acquisition cost of"

AND

Page 6, delete lines 8 through 33, and substitute the following:
"to add an additional subdivision to read as follows:
(15) "Spread pricing" means the model of prescription drug"

AND

Page 7, delete lines 2 through 11, and substitute the following:
"services."

AND

Page 9, delete lines 4 through 7, and substitute the following:
"(5)(A) Pay or reimburse a pharmacy or pharmacist for the ingredient drug product component of pharmacist services less than the national average drug acquisition cost or, if the national average drug acquisition cost is unavailable, the wholesale acquisition cost."

AND

Page 9, delete lines 17 through 19, and substitute the following:
"model, the plan shall be subject to subdivision (b)(5)(A) of this section;
(6) Make or permit any reduction of payment for pharmacist services by a pharmacy benefits manager or a healthcare insurer directly or indirectly to a pharmacy under a reconciliation process to an effective rate of reimbursement, including without limitation generic effective rates, brand effective rates, direct and indirect remuneration fees, or any other reduction or aggregate reduction of payment; or
(7) Do any combination of the actions listed in subdivisions
~~(b)(1)~~ (4) (b)(1)-(6) of this section."

Page 10, delete lines 14 through 29

AND

Appropriately renumber the sections of the bill

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator K. Hammer

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Secretary