



297190

LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 03/28/2023 | . | |
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The Committee on Health Policy (Brodeur) recommended the following:

1 **Senate Amendment to Amendment (100780) (with title**
2 **amendment)**

3
4 Delete lines 610 - 623
5 and insert:

6 (d) Require the pharmacy benefit manager to pass 100
7 percent of all prescription drug manufacturer rebates, including
8 nonresident manufacturer rebates, received to the pharmacy
9 benefits plan or program, if the contractual arrangement
10 delegates the negotiation of rebates to the pharmacy benefit



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11 manager, for the sole purpose of offsetting defined cost sharing
12 and reducing premiums of covered persons. Any excess rebate
13 revenue after the pharmacy benefit manager and the pharmacy
14 benefits plan or program have taken all actions required under
15 this paragraph must be used for the sole purpose of offsetting
16 copayments and deductibles of covered persons. This paragraph
17 does not apply to contracts involving Medicaid managed care
18 plans.

19
20 ===== T I T L E A M E N D M E N T =====

21 And the title is amended as follows:

22 Delete lines 1250 - 1251

23 and insert:

24 pharmacy; specifying requirements for certain