

HB1078\_L.005

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Insurance.

HB20-1078 be amended as follows:

- 1 Amend printed bill, page 2, line 5, strike "**and dispensing fees**".
- 2 Page 2, line 6, strike "(a)".
- 3 Page 2, strike lines 6 through 23 and substitute "FIRM SHALL NOT  
4 REIMBURSE A PHARMACY IN AN AMOUNT LESS THAN THE AMOUNT THAT  
5 THE PHARMACY BENEFIT MANAGEMENT FIRM REIMBURSES ANY AFFILIATE  
6 FOR THE SAME PHARMACY SERVICES FOR A CLEAN CLAIM.  
7 (2)(a) A CONTRACT OR AGREEMENT, INCLUDING A  
8 PERFORMANCE-BASED OR VALUE-BASED CONTRACT OR AGREEMENT,  
9 BETWEEN A PHARMACY".
- 10 Page 3, line 1, after "PHARMACY" insert "OR A PHARMACY SERVICES  
11 ADMINISTRATIVE ORGANIZATION".
- 12 Page 3, strike lines 7 and 8 and substitute "THE CLAIM AFTER THE POINT  
13 OF SALE; EXCEPT THAT,".
- 14 Page 3, line 19, strike "(a)".
- 15 Page 3, strike line 27 and substitute:  
16 "(4) THE DIVISION MAY PROMULGATE RULES TO ESTABLISH THE  
17 MANNER IN WHICH CARRIERS AND PHARMACY BENEFIT MANAGEMENT  
18 FIRMS ARE REQUIRED TO SHOW COMPLIANCE WITH THIS SECTION.".
- 19 Page 4, strike lines 1 through 5.
- 20 Renumber succeeding subsections accordingly.
- 21 Page 4, line 7, after "PHARMACIES" insert "OR PHARMACY SERVICES  
22 ADMINISTRATIVE ORGANIZATIONS".
- 23 Page 4, line 18, after "CLAIM." add ""CLEAN CLAIM" DOES NOT INCLUDE  
24 A CLAIM BASED ON FRAUD, WASTE, OR ABUSE.".
- 25 Page 4, strike line 27.
- 26 Page 5, strike lines 1 through 9.
- 27 Renumber succeeding section accordingly.