

Bill Summary
1st Session of the 57th Legislature

Bill No.:	HB 2632
Version:	FS1
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Author:	Sen. McCortney
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Floor Substitute (FS)

The FS for HB 2632 creates the Patient's Right to Pharmacy Choice Act. The measure requires pharmacy networks to comply with certain access standards. At least 90% of a benefit plan's urban area population must live within two miles of a participating pharmacy or within five miles of a retail pharmacy designated as a preferred participating pharmacy. At least 90% of a benefit plan's suburban area population must live within five miles of a participating pharmacy or within seven miles of a retail pharmacy designated as a preferred participating pharmacy. For the rural population, at least 70% of covered individuals must live within fifteen miles of a retail pharmacy or eighteen miles of a preferred participating pharmacy.

The Oklahoma Insurance Department is directed to review and approve retail pharmacy network access for all benefit plans. A pharmacy benefits manager or representative of a pharmacy benefits manager is prohibited from engaging in deceptive advertising, charging a pharmacist for the resolution of a claim, providing a smaller reimbursement to pharmacies under common ownership, denying a pharmacy the opportunity to participate in a network if the pharmacy accepts the terms and conditions of the network, imposing a monetary disadvantage to out-of-network pharmacies, denying or reducing reimbursement for a covered service claim after returning a paid claim, or failing to make any payment due to a pharmacy or pharmacist. Certain limitations are imposed on pharmacy benefits managers' contracts.

All compensation received by a health insurer must be used to lower the cost of health care in the state or expand pharmacy benefit plan coverage. Insurers will be required to file an annual report with the Commissioner detailing the use of such compensation. The measure further prohibits certain people from serving on a health insurers pharmacy and therapeutics committee. Each pharmacy and therapeutics committee is expected to form a formulary which shall advertise information related to drug costs, availability, copayments, maximum allowable cost, and must be available to the public.

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