

Bill Summary
1st Session of the 57th Legislature

Bill No.:	SB 841
Version:	INT
Request No.:	25
Author:	Sen. McCortney
Date:	01/30/2019

Bill Analysis

SB 841 creates the Prescription Access and Affordability Act. The measure requires pharmacy networks to comply with certain access standards. At least 90% of a benefit plan's Suburban Service Area population must live within seven miles or at least 70% of a benefit plan's Rural Service Area population must live within eighteen miles of a preferred participating pharmacy. Requirements may also be met with a retail pharmacy located within fifteen miles of 70% Rural Service Area's population. Mail order pharmacies may not be used to meet access standards.

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 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 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.

The Commissioner is authorized to hire additional employees to enforce the provisions of this measure and may impose a fine of up to \$10,000.00 on benefit managers convicted in hearings by the newly created Prescription Access and Affordability Advisory Committee. The Committee will be comprised of seven people.

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