HB 383 - AS INTRODUCED

2023 SESSION

23-0683
09/05

HOUSE BILL ***383***

AN ACT relative to provider contract standards for pharmacy benefit managers.

SPONSORS: Rep. Rochefort, Graf. 1; Rep. Merchant, Sull. 6; Sen. Rosenwald, Dist 13

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill provides new provider contract standards for pharmacy benefit managers.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to provider contract standards for pharmacy benefit managers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Provider Contract Standards for Pharmacy Benefit Managers. Amend RSA 402-N:3, I(b)(3)(B) to read as follows:

(B) Identify the national drug code***, and the source*** of a drug product that may be purchased by contracted pharmacies at a price at or below the maximum allowable cost; and ***provide the name of a wholesaler servicing New Hampshire where the drug can be purchased; and***

2 Rebilling; Pharmacy Benefit Managers. Amend RSA 402-N:3, I(b)(4)(B) to read as follows:

(B) Permit [~~the challenging pharmacy~~] ***all affected pharmacies*** or [~~pharmacist~~] ***pharmacists in this state*** to reverse and rebill the claim in question ***or any claim affected dating back to when the maximum allowable cost fell below actual cost. The pharmacy benefit manager shall notify all pharmacies in the network of the date that all claims can be reprocessed.***

3 New Subparagraph; Pharmacy Benefit Managers; Department of Insurance Cost Lists. Amend RSA 402-N:3, II by inserting after subparagraph (c) the following new subparagraph:

(d) Make available to the pharmacy and the insurance department all maximum allowable cost lists in use by the pharmacy benefits manager for all insurance plans administered within New Hampshire by the pharmacy benefits manager.

4 Effective Date. This act shall take effect 60 days after its passage.