

1.1 Senator ..... moves to amend S.F. No. 1574 as follows:

1.2 Page 2, line 22, delete "a prohibition" and insert "prohibitions" and after "on" insert "the  
1.3 single pharmacy benefit manager from:"

1.4 Page 2, line 23, delete everything before "requiring" and insert "(1)" and after "requiring"  
1.5 insert "or coercing"

1.6 Page 2, line 25, delete the period and insert a semicolon

1.7 Page 2, after line 25, insert:

1.8 "(2) requiring or coercing an enrollee to obtain pharmacy services, including a prescription  
1.9 drug, from a pharmacy owned or otherwise affiliated with the single pharmacy benefit  
1.10 manager;

1.11 (3) communicating to an enrollee, in any manner, that the enrollee is required to obtain  
1.12 pharmacy services or have a prescription dispensed at, or pharmacy services provided by,  
1.13 a particular pharmacy owned or affiliated with the single pharmacy benefit manager if there  
1.14 are other nonaffiliated pharmacies that have the ability to dispense the medication or provide  
1.15 the services and are also in network;

1.16 (4) requiring an enrollee to obtain pharmacy services, including a prescription drug,  
1.17 exclusively through a mail order pharmacy;

1.18 (5) directly or indirectly retroactively denying or reducing a claim or aggregate of claim  
1.19 for pharmacy services, including prescription drugs, after adjudication of the claim or  
1.20 aggregate of claims unless:

1.21 (i) the original claim was submitted fraudulently;

1.22 (ii) the original claim payment was incorrect because the pharmacy or pharmacist has  
1.23 already been paid for the pharmacy service; or

1.24 (iii) the pharmacist service, including a prescription drug, was improperly rendered by  
1.25 the pharmacy or pharmacist;

1.26 (6) paying or reimbursing a pharmacy or pharmacist for the ingredient drug product  
1.27 component of pharmacist services, including a prescription drug, less than the national  
1.28 average drug acquisition cost of that pharmacy service or prescription drug, or, if the national  
1.29 average drug acquisition cost is unavailable, the wholesale acquisition cost at the time the  
1.30 drug is administered or dispensed, plus a professional dispensing fee equal to the amount  
1.31 of the dispensing fee if it were determined pursuant to section 256B.0625, subdivision 13e;

2.1 (7) denying a pharmacy or pharmacist the right to participate as a contract provider under  
2.2 the health plan if the pharmacy or pharmacist agrees to provide pharmacy services, including,  
2.3 but not limited to, prescription drugs that meet the terms and requirements set forth by the  
2.4 health plan and agrees to the terms of reimbursement set forth by the health plan company;  
2.5 and

2.6 (8) imposing upon a pharmacy or pharmacist, as a condition of participation in a health  
2.7 plan's network, any course of study, accreditation, certification, or credentialing that is  
2.8 inconsistent with, more stringent than, or in addition to state requirements for licensing or  
2.9 certification as provided for by the Board of Pharmacy."