

One Hundred Seventh Legislature - First Session - 2021

Introducer's Statement of Intent

LB375

Chairperson: Senator Matt Williams

Committee: Banking, Commerce and Insurance

Date of Hearing: March 02, 2021

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 375 adopts the Pharmacy Benefit Manager Regulation and Transparency Act. LB 375 would codify the following items:

- Requires any pharmacy benefit manager doing business within the state to obtain a certificate of authority as a third-party administrator under the Third-Party Administrator Act;
- Pharmacy benefit managers are prohibited from charging or collecting from a covered person a copayment for a prescription or pharmacy service that exceeds the amount retained by the network pharmacy from all payment sources for filling the prescription or providing the service;
- Pharmacy benefit managers cannot exclude a Nebraska pharmacy from participation in its specialty pharmacy network as long as the pharmacy is willing to accept the terms of the pharmacy benefit manager's agreement with its specialty pharmacies;
- Pharmacy benefit manager cannot prohibit a pharmacist or contracted pharmacy from mailing a prescription drug to a covered individual at any location requested by the covered individual;
- Auditing standards;
- Pricing transparency and fairness; and,
- Appeals processes

Principal Introducer: _____

Senator Mark Kolterman