

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 569 Session of 2019

INTRODUCED BY DeLUCA, MILLARD, McNEILL, OTTEN, HARKINS, KORTZ, CALTAGIRONE, BARRAR, FREEMAN, HILL-EVANS, DEASY AND McCLINTON, MARCH 7, 2019

REFERRED TO COMMITTEE ON INSURANCE, MARCH 7, 2019

AN ACT

1 Amending the act of November 21, 2016 (P.L.1318, No.169),
 2 entitled, "An act providing for pharmacy audit procedures,
 3 for registration of pharmacy benefits managers and auditing
 4 entities, for maximum allowable cost transparency and for
 5 prescription drugs reimbursed under the PACE and PACENET
 6 program; and making related repeals," in PBM cost
 7 transparency requirements, providing for spread pricing.

8 The General Assembly of the Commonwealth of Pennsylvania
 9 hereby enacts as follows:

10 Section 1. The act of November 21, 2016 (P.L.1318, No.169),
 11 known as the Pharmacy Audit Integrity and Transparency Act, is
 12 amended by adding a section to read:

13 Section 703.1. Spread pricing.

14 (a) Disclosure of multiple source generic list.--A pharmacy
 15 benefit manager shall disclose to a health insurer whether or
 16 not the pharmacy benefit manager uses the same multiple source
 17 generic list when billing a health insurer as it does when
 18 reimbursing a pharmacy.

19 (b) Disclosure of difference in amounts paid and charged.--
 20 If a pharmacy benefit manager uses more than one multiple source

1 generic list, the pharmacy benefit manager shall disclose to a
2 health insurer any difference between the amount paid to a
3 pharmacy and the amount charged to the health insurer.

4 Section 2. This act shall take effect in 60 days.