

# 2018 SESSION

INTRODUCED

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## HOUSE BILL NO. 572

Offered January 10, 2018

Prefiled January 8, 2018

A *BILL to amend the Code of Virginia by adding a section numbered 38.2-3407.15:4, relating to contracts with pharmacy providers; required provisions regarding disclosures to purchasers of prescribed pharmaceuticals; limit on termination or nonrenewal.*

Patron—Hodges

Referred to Committee on Commerce and Labor

### Be it enacted by the General Assembly of Virginia:

1. **That the Code of Virginia is amended by adding a section numbered 38.2-3407.15:4 as follows:**

**§ 38.2-3407.15:4. Carrier and intermediary contracts with pharmacy providers; required provisions regarding disclosures; limit on termination or nonrenewal.**

A. As used in this section, "provider contract" has the same meaning ascribed thereto in subsection A of § 38.2-3407.15.

B. Any contract between a carrier and its intermediary regarding the provision of pharmacy services by participating pharmacy providers and any provider contract between a carrier and a participating pharmacy provider or its contracting agent shall contain specific provisions that prohibit the carrier or intermediary from restricting a participating pharmacy provider's disclosure of any relevant information to an individual purchasing a prescribed drug, including the cost to the provider of the prescribed drug, actual reimbursement to the provider for the prescribed drug, efficacy of the prescribed drug, and the availability of a therapeutically equivalent drug that is less expensive for the patient than the prescribed drug.

C. Any contract between a carrier and its intermediary regarding the provision of pharmacy services by participating pharmacy providers and any provider contract between a carrier and a participating pharmacy provider or its contracting agent shall contain specific provisions that prohibit the carrier or intermediary from terminating or failing to renew the contractual relationship with a participating pharmacy provider due to the provider's making a disclosure to an individual purchasing a prescribed drug described in subsection B.

D. The Commission shall have no jurisdiction to adjudicate individual controversies arising out of this section.

E. This section shall apply with respect to contracts described in subsection B or C entered into, amended, extended, or renewed on or after January 1, 2019.

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