

State Corporation Commission

2024 Session Fiscal Impact Statement

1. Bill Number: HB1402

House of Origin ☐ Introduced ☐ Substitute ☒ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Reaser

3. Committee: Passed the House

4. Title: Health insurance; pharmacy benefits managers; reporting requirements; civil penalty.

5. Summary: Provides that a person that violates the existing requirement to obtain a license prior to providing pharmacy benefits management services or otherwise acting as a pharmacy benefits manager may be subject to a civil penalty of \$5,000 for each day on which such violation occurs.

The bill adds to existing reporting requirements for insurance carriers relating to pharmacy benefits managers. Such additional requirements include (i) the aggregate amount of a pharmacy benefits manager's retained rebates, as defined in the bill; (ii) a pharmacy benefits manager's aggregate retained rebate percentage, as defined in the bill; and (iii) the aggregate amount of administrative fees received by a pharmacy benefits manager.

6. Budget amendment necessary: No

7. Fiscal Impact Estimates: No Fiscal Impact on the State Corporation Commission

8. Fiscal Implications: None on the State Corporation Commission

9. Specific agency or political subdivisions affected: State Corporation Commission Bureau of Insurance

10. Technical amendment necessary: No

11. Other comments: Senate Bill 660 is identical to the engrossed version of House Bill 1402.

Date: 02/8/24/V. Tompkins