

By: Kolkhorst, Cook
Sparks

S.B. No. 493

A BILL TO BE ENTITLED

AN ACT

relating to certain protected disclosures or communications by
pharmacists and pharmacies regarding prescription drug benefits.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 562, Occupations Code, is
amended by adding Section 562.0035 to read as follows:

Sec. 562.0035. PROTECTED DISCLOSURES AND COMMUNICATIONS BY
PHARMACISTS AND PHARMACIES REGARDING PRESCRIPTION DRUG BENEFITS.

(a) In this section, "enrollee" means an individual who is covered
under a health benefit plan, including a covered dependent.

(b) A pharmacist or pharmacy may not enter into a contract
or agreement or implement or effectuate a policy that prohibits or
restricts the pharmacist or pharmacy from:

(1) informing an enrollee of any difference between
the enrollee's out-of-pocket cost for a prescription drug under the
enrollee's health benefit plan and the out-of-pocket cost without
submitting a claim under the enrollee's health benefit plan; or

(2) communicating with sponsors of an enrollee's
health benefit plan regarding member services with respect to
prescription drug benefits, pharmacy services and benefits,
network access and adequacy with respect to prescription drug
benefits, partnership opportunities, or prescription claim
reimbursement.

SECTION 2. The change in law made by this Act applies only

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1 to a contract or agreement entered into or amended on or after the
2 effective date of this Act.

3 SECTION 3. This Act takes effect September 1, 2025.