

Amend **HB 833** by adding the following appropriately numbered SECTION and renumbering the SECTIONS of the bill appropriately:

SECTION \_\_\_\_\_. (a) The Texas Workers' Compensation Commission shall consider a rulemaking petition based on a study funded by collaborative efforts of workers' compensation insurance carriers and pharmacy providers. The study must be designed to determine pharmacy fees paid by other payors and administrative costs and expenses incurred by pharmacy providers to process claims and payments for prescription drugs provided to individuals under the Texas workers' compensation system relative to the costs and expenses incurred in providing the drugs to self-paying individuals or individuals for whom payment is made under insurance coverage other than workers' compensation insurance.

(b) The Texas Workers' Compensation Commission shall adopt, not later than six months after the date a rulemaking petition is submitted to the commission, rules that clearly define the methodology for determining payment amounts for prescription drugs under Subtitle A, Title 5, Labor Code. The rules described by this section must take into account pharmacy fees paid by other payors and the costs and expenses that workers' compensation insurance carriers and pharmacies incur in providing prescription drugs to individuals under that subtitle and must ensure the presence of a reliable network of pharmacy providers for injured workers in this state.

(c) The Texas Workers' Compensation Commission shall pursue efforts to streamline the procedures for presenting, processing, and paying claims for prescription drugs under Subtitle A, Title 5, Labor Code, through the development of a system that is more efficient than the system in place on the effective date of this Act.

(d) The Texas Workers' Compensation Commission shall implement the requirements of this section in a budget-neutral manner and consider the findings of studies or other research funded by collaborative efforts of workers' compensation insurance carriers and pharmacy providers. If the studies are not funded by workers' compensation insurance carriers and pharmacy providers and this section cannot be implemented in a budget-neutral manner,

this section may not be implemented.

(e) This section expires December 31, 2004.