

By: Van de Putte

S.B. No. 865

A BILL TO BE ENTITLED

1 AN ACT

2 relating to pricing standards used under the Medicaid vendor drug  
3 program.

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

5 SECTION 1. Subchapter B, Chapter 32, Human Resources Code,  
6 is amended by adding Section 32.0462 to read as follows:

7 Sec. 32.0462. VENDOR DRUG PROGRAM; PRICING STANDARD.

8 (a) Notwithstanding any other provision of state law, the  
9 department shall:

10 (1) consider a nationally recognized, unbiased  
11 pricing standard for prescription drugs in determining  
12 reimbursement amounts under the vendor drug program; and

13 (2) update reimbursement amounts under the vendor drug  
14 program at least weekly.

15 (b) The commissioner shall adopt rules implementing this  
16 section. In adopting rules, the commissioner shall ensure that  
17 implementation of this section does not adversely affect the amount  
18 of federal funds available to the state for providing benefits  
19 under the vendor drug program.

20 SECTION 2. If before implementing any provision of this Act  
21 a state agency determines that a waiver or authorization from a  
22 federal agency is necessary for implementation of that provision,  
23 the agency affected by the provision shall request the waiver or  
24 authorization and may delay implementing that provision until the

1 waiver or authorization is granted.

2 SECTION 3. This Act takes effect September 1, 2003.