

Amend CSSB 5 as follows:

1. Insert the following new subsection to Chapter 408.028, Labor Code, at page 35 between lines 48 and 49, lettered appropriately to read as follows, and strike subsection 4.

Sec. 408.028(f) Fee Schedule for Pharmacy and Pharmaceutical Service.

(f) Notwithstanding any other provisions of this title, the commission by rule shall adopt a fee schedule for pharmacy and pharmaceutical services which will

(1) provide reimbursement rates that are fair and reasonable,

(2) assure adequate access to medications and services for injured workers; and

(3) minimize costs to employees and insurance carriers; and

(4) ~~prospectively resolve uncertainty existing upon the effective date of this amendment regarding the application of the requirements of this title to fees for medications and pharmacy services, including whether and how to apply the requirements of sections 413.011, 413.043 and 415.005.~~

2. Add a new Section to Chapter 413 to read as follows:

Sec. 413._____The regulations adopted by the commission for the reimbursement of prescription medications and services shall authorize pharmacies to utilize agents or assignees to process claims and act on their behalf pursuant to terms and conditions as agreed upon by pharmacies.