

Amend CSSB 23 (senate committee printing) in SECTION 4 of the bill as follows:

(1) In added Section 533.005(a)(16)(C), Government Code (page 5, line 38), strike "and".

(2) In added Section 533.005(a)(16)(D), Government Code (page 5, line 39), between "Section 531.089" and the period, insert the following:

i

(E) does not impair an enrolled recipient's choice regarding which pharmacist or pharmacy dispenses the recipient's prescription drug by imposing different copayments or other conditions, including specific dosage or fulfillment requirements, on a recipient based on the pharmacist or pharmacy or the type of pharmacist or pharmacy that dispenses the drug;

(F) establishes reasonable administrative, financial, and professional terms for a pharmacist's or pharmacy's participation in the plan that are uniform across all pharmacists and pharmacies seeking to participate, or participating, in the plan;

(G) does not prevent a pharmacist or pharmacy from participating in the plan if the pharmacist or pharmacy agrees to comply with the terms established under Paragraph (F);

(H) does not require an enrolled recipient to obtain a prescription drug from a mail-order pharmacy as a condition of paying for the drug;

(I) provides, and requires any subcontractor of the managed care organization that is responsible for reimbursing pharmacists or pharmacies participating in the plan, including a pharmacy benefit management company, to provide, full and prompt payment for the provision of services, including the dispensation of prescription drugs, to enrolled recipients in a manner that complies with the requirements of the vendor drug program; and

(J) identifies and separately charges any administrative fee that is incurred by the managed care organization or a subcontractor of the managed care organization, including a fee for a pharmacy benefit management company that is hired as a subcontractor by the managed care organization to

administer the pharmacy benefit plan