

By: Miller of Erath

H.B. No. 3266

A BILL TO BE ENTITLED

AN ACT

relating to the audit of retail and mail order pharmacy claims of certain public employees.

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

SECTION 1. Subchapter B, Chapter 1551, Insurance Code, is amended by adding Section 1551.068 to read as follows:

Sec. 1551.068. AUDIT OF PHARMACY CLAIMS. The state auditor shall conduct a biennial audit and submit to the board of trustees a report on the claims data for prescriptions for a 90-day supply of drugs to verify parity between retail and mail order pharmacies of all factors of reimbursement, including average wholesale price and maximum allowable cost.

SECTION 2. Subchapter C, Chapter 1575, Insurance Code, is amended by adding Section 1575.111 to read as follows:

Sec. 1575.111. AUDIT OF PHARMACY CLAIMS. The state auditor shall conduct a biennial audit and submit to the trustee a report on the claims data for prescriptions for a 90-day supply of drugs to verify parity between retail and mail order pharmacies of all factors of reimbursement, including average wholesale price and maximum allowable cost.

SECTION 3. The initial audit reports required by Sections 1551.068 and 1575.111, Insurance Code, as added by this Act, are due not later than September 1, 2013.

SECTION 4. The changes in law made by this Act apply only to

1 health benefit plans provided under Chapters 1551 and 1575,  
2 Insurance Code, beginning with the 2011-2012 plan year. A plan year  
3 before 2011-2012 is governed by the law as it existed immediately  
4 before September 1, 2011, and that law is continued in effect for  
5 that purpose.

6       SECTION 5. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2011.