

BILL ANALYSIS

S.B. 94
By: Hinojosa
Insurance
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that pharmacy benefit managers and health benefit plan issuers are not subject to the same prohibition on charging a transaction fee for electronically submitted claims to which health benefit plans are subjected. Interested parties contend that pharmacy benefit managers and health benefit plan issuers are charging unnecessary fees to pharmacists and pharmacies for electronically submitted transactions as a consequence of this disparity. S.B. 94 seeks to address this issue.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 94 amends the Insurance Code to prohibit a health benefit plan issuer or a pharmacy benefit manager from directly or indirectly charging or holding a pharmacist or pharmacy responsible for a fee for any step of or component or mechanism related to the pharmacy benefit claim adjudication process. The bill's provisions do not affect the terms of a contract entered into or renewed before the bill's effective date until a renewal of the contract that occurs on or after that date.

EFFECTIVE DATE

September 1, 2015.