

AN ACT

relating to certain fees charged for the adjudication of pharmacy benefit claims.

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

SECTION 1. Chapter 1369, Insurance Code, is amended by adding Subchapter I to read as follows:

SUBCHAPTER I. PHARMACY BENEFIT CLAIM ADJUDICATION

Sec. 1369.401. DEFINITION. In this subchapter, "pharmacy benefit manager" has the meaning assigned by Section 4151.151.

Sec. 1369.402. CERTAIN FEES PROHIBITED. A health benefit plan issuer or a pharmacy benefit manager may not directly or indirectly charge or hold a pharmacist or pharmacy responsible for a fee for any step of or component or mechanism related to the claim adjudication process, including:

(1) the adjudication of a pharmacy benefit claim;

(2) the processing or transmission of a pharmacy benefit claim;

(3) the development or management of a claim processing or adjudication network; or

(4) participation in a claim processing or adjudication network.

SECTION 2. The change in law made by this Act does not affect the terms of a contract, if any, entered into or renewed before the effective date of this Act until a renewal of the

1 contract that occurs on or after the effective date of this Act.

2 SECTION 3. This Act takes effect September 1, 2015.

\_\_\_\_\_  
President of the Senate

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Speaker of the House

I hereby certify that S.B. No. 94 passed the Senate on April 9, 2015, by the following vote: Yeas 29, Nays 2.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 94 passed the House on May 1, 2015, by the following vote: Yeas 136, Nays 0, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor