

Amend HB 1133 (house committee printing) as follows:

(1) On page 11, line 3, between "pricing" and "~~for~~", insert ", other than the sources used to determine the actual acquisition cost (AAC) pricing of drugs obtained under Section 340B, Public Health Service Act (42 U.S.C. Section 256b)".

(2) On page 13, line 19, between "drug" and "to", insert ", other than a drug obtained under Section 340B, Public Health Service Act (42 U.S.C. Section 256b),".

(3) Strike page 13, lines 21 through 24, and substitute the following:

(1) for a drug dispensed by:

(A) a retail pharmacy or a pharmacist employed by a retail pharmacy, the average of Texas retail pharmacies' actual acquisition cost (AAC) for the drug, plus a retail professional dispensing fee that is not less than a minimum amount adopted by the executive commissioner under authority of 42 C.F.R. Sections 438.6(c)(1)(iii)(A) through (C); or

(B) a specialty pharmacy or a pharmacist employed by a specialty pharmacy, the average of Texas specialty pharmacies' actual acquisition cost (AAC) for the drug, plus a specialty pharmacy professional dispensing fee that is not less than a minimum amount adopted by the executive commissioner under authority of 42 C.F.R. Sections 438.6(c)(1)(iii)(A) through (C); or

(4) Between page 13, line 27, and page 14, line 1, insert the following:

(a-1) A managed care organization that contracts with the commission under this chapter or a pharmacy benefit manager administering a pharmacy benefit program on behalf of the managed care organization shall reimburse a pharmacy or pharmacist that dispenses a prescribed prescription drug obtained at a discounted price under Section 340B, Public Health Service Act (42 U.S.C. Section 256b) to a recipient for not less than the reimbursement amount for the drug under the vendor drug program, including a dispensing fee that is not less than the dispensing fee for the drug under the vendor drug program.

(5) On page 14, line 2, between "Texas" and "pharmacies", insert "retail".

(6) On page 14, line 3, between "(AAC)" and "for", insert "and Texas specialty pharmacies' actual acquisition cost (AAC)".

(7) On page 14, line 5, strike "may" and substitute "must".

(8) On page 14, line 10, between "Texas" and "pharmacies'", insert "retail".

(9) On page 14, line 11, between "drugs" and "and", insert ", Texas specialty pharmacies' actual acquisition cost (AAC) for prescription drugs, retail professional dispensing costs, and specialty pharmacy professional dispensing costs".

(10) On page 14, line 13, strike "fee" and substitute "fees".

(11) On page 14, strike lines 14 and 15, and substitute the following:

commissioner for purposes of:

(1) Subsection (a) must be based on, as appropriate:

(A) Texas retail pharmacies' professional dispensing costs for retail prescription drugs; or

(B) Texas specialty pharmacies' professional dispensing costs for specialty prescription drugs; or

(2) Subsection (a-1) must be based on Texas pharmacies' professional dispensing costs for those drugs.

(12) On page 14, line 16, strike "five" and substitute "two".

(13) On page 14, line 18, between "for" and "prescription", insert "retail".

(14) On page 14, line 18, between "drugs" and the underlined period, insert ", specialty prescription drugs, and drugs obtained under Section 340B, Public Health Service Act (42 U.S.C. Section 256b)".

(15) On page 14, line 19, strike "consider amending" and substitute "adjust".

(16) On page 14, line 20, strike "dispensing fee in Subsection (a)" and substitute "retail professional dispensing fee and specialty pharmacy professional dispensing fee under Subsection (a) and the dispensing fee for drugs obtained under Section 340B, Public Health Service Act (42 U.S.C. Section 256b)".