

1-1 By: Schwertner S.B. No. 1076
 1-2 (In the Senate - Filed February 23, 2017; March 7, 2017,
 1-3 read first time and referred to Committee on Business & Commerce;
 1-4 April 10, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 10, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-8 | | | | |
| 1-9 | X | | | |
| 1-10 | X | | | |
| 1-11 | X | | | |
| 1-12 | X | | | |
| 1-13 | X | | | |
| 1-14 | X | | | |
| 1-15 | X | | | |
| 1-16 | X | | | |
| 1-17 | X | | | |

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1076 By: Schwertner

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to amounts charged to an enrollee in a health benefit plan
 1-22 for prescription drugs covered by the plan.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 1369.001, Insurance Code, is amended by
 1-25 adding Subdivision (2-a) to read as follows:

1-26 (2-a) "Enrollee" means an individual who is covered
 1-27 under a health benefit plan, including a covered dependent.

1-28 SECTION 2. Subchapter A, Chapter 1369, Insurance Code, is
 1-29 amended by adding Section 1369.0041 to read as follows:

1-30 Sec. 1369.0041. LIMIT ON PAYMENT REQUIRED UNDER PLAN. A
 1-31 health benefit plan issuer that covers prescription drugs may not
 1-32 require an enrollee to make a payment for a prescription drug at the
 1-33 point of sale in an amount greater than the lesser of:

1-34 (1) the applicable copayment; or

1-35 (2) the negotiated or allowable claim amount for the
 1-36 prescription drug specified by the agreement between the health
 1-37 benefit plan issuer or its pharmacy benefit manager and the
 1-38 pharmacist or pharmacy providing the prescription drug.

1-39 SECTION 3. Section 1369.0041, Insurance Code, as added by
 1-40 this Act, applies only to a health benefit plan that is delivered,
 1-41 issued for delivery, or renewed on or after January 1, 2018. A plan
 1-42 delivered, issued for delivery, or renewed before January 1, 2018,
 1-43 is governed by the law as it existed immediately before the
 1-44 effective date of this Act, and that law is continued in effect for
 1-45 that purpose.

1-46 SECTION 4. This Act takes effect September 1, 2017.

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