

By: Watson, Huffman, Nelson

S.B. No. 1346

A BILL TO BE ENTITLED

AN ACT

relating to disclosure of state agency contract information regarding administrator services for group health benefit plans.

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

SECTION 1. The heading to Subchapter H, Chapter 2158, Government Code, is amended to read as follows:

SUBCHAPTER H. PURCHASE OF PHARMACY BENEFIT MANAGER SERVICES OR OF ADMINISTRATOR SERVICES FOR GROUP HEALTH BENEFIT PLAN

SECTION 2. Section 2158.401(b), Government Code, is amended to read as follows:

(b) This subchapter applies in relation to a state agency contract or proposed contract for pharmacy benefit manager services or for services as an administrator for a group health benefit plan without regard to whether the contract or proposed contract is otherwise subject to this subtitle.

SECTION 3. Section 2158.402, Government Code, is amended by amending Subsections (a) and (b) and adding Subsections (a-1) and (d) to read as follows:

(a) A state agency on request of another state agency shall disclose information relating to the amounts charged by:

(1) a pharmacy benefit manager for pharmacy benefit manager services provided under a prescription drug program and other requested pricing information related to a contract for pharmacy benefit manager services; or

1 (2) an administrator of a health benefit plan for
2 services provided for a group health benefit plan and other
3 requested pricing information related to a contract for
4 administrator services for a group health benefit plan.

5 (a-1) A state agency shall provide information requested
6 under this section not later than the 30th day after the date the
7 information is requested.

8 (b) Subsection (a) does not require a state agency to
9 disclose information the agency is specifically prohibited from
10 disclosing under a contract with:

11 (1) a pharmacy benefit manager executed before
12 September 1, 2009; or

13 (2) an administrator for a health benefit plan
14 executed before September 1, 2017.

15 (d) A contract entered, amended, or extended on or after
16 September 1, 2017, may not contain a provision that prohibits a
17 state agency from disclosing under this subchapter information on
18 the amounts charged by an administrator for a health benefit plan
19 for services provided for a group health benefit plan or from
20 disclosing under this subchapter other pricing information related
21 to the contract.

22 SECTION 4. This Act takes effect September 1, 2017.