

Amend CSHB 3388 (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in amended Section 533.005(a)(23)(K)(i), Government Code (page 5, line 9), between "renewal" and "[", insert ", if applicable"]".

(2) In SECTION 2 of the bill, in added Section 533.00514, Government Code (page 7, between lines 8 and 9), insert the following:

(f) Notwithstanding any other provision of this section, the executive commissioner by rule may establish a minimum dispensing fee that is less than the fee required under Subsections (a) and (d) and may implement the minimum fee amount only after publishing the adopted rule.

(g) The commission shall encourage a managed care organization that contracts with the commission to provide health care services to recipients under this chapter to include in the organization's network all pharmacies that will promote value under an alternative payment model or other quality-based payment system developed by the organization in accordance with rules adopted by the executive commissioner. The payment system may include shared savings and incentive medication adherence, disease management, and comprehensive medication management.

(h) This section expires September 1, 2023.

(3) In SECTION 3 of the bill, in added Section 62.160, Health and Safety Code (page 7, line 16), after the underlined period, insert the following:

This section expires September 1, 2023.

(4) Strike SECTION 5 of the bill (page 7, lines 19-24) and substitute the following appropriately numbered SECTION:

SECTION _____. (a) If before implementing a provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing all provisions of this Act until the waiver or authorization is granted.

(b) Notwithstanding any other provision of this Act:

(1) if Health and Human Services Commission delays implementation of the provisions of this Act under Subsection (a)

of this section, the changes in law made by those provisions apply beginning on the 180th day after the date the commission receives the authorization described that subsection; and

(2) until the changes in law made by this Act apply, the law as it existed immediately before the effective date of this Act applies, and the former law is continued in effect for that purpose.

(5) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) Not later than December 31, 2022, the Health and Human Services Commission shall submit a report to the legislature on the impact of this Act on and the changes made to prescription drug pricing and reimbursement under the Medicaid managed care program under Chapter 533, Government Code, and the child health plan program under Chapter 62, Health and Safety Code. The report must include an analysis and comparison of drug price deflation, professional fees, and trends in other public benefits programs, including Medicare under Title XVIII of the Social Security Act (42 U.S.C. Section 1395 et seq.).

(b) This section expires September 1, 2023.