

Amend **HB 1763** (senate committee report) as follows:

(1) In SECTION 1 of the bill, between added Sections 1369.557 and 1369.558, Insurance Code (page 3, between lines 19 and 20), insert the following:

Sec. 1369.558. GAG CLAUSES PROHIBITED. (a) A contract between a health benefit plan issuer or pharmacy benefit manager and a pharmacist or pharmacy may not prohibit or restrict the pharmacist or pharmacy from disclosing to a patient:

(1) cost information for a prescription drug, including information regarding billed or allowed amounts, reimbursement rates, or out-of-pocket costs associated with the drug; or

(2) an available alternative, including a more affordable or effective alternative, to a specific prescription drug.

(b) A pharmacist or pharmacy may use information described by Subsection (a) to:

(1) assist a patient and institutional purchaser in making informed decisions regarding their health care;

(2) assist a patient in making informed choices among health care providers; and

(3) allow comparisons between prices paid by health benefit plan issuers and pharmacy benefit managers to health care providers.

(2) Renumber the sections of and redesignate the cross-references in added Subchapter L, Chapter 1369, Insurance Code, accordingly.