

Amend CSHB 3286 (house committee printing) as follows:

(1) On page 1, between line 4 and 5, add the following and renumber subsequent sections accordingly:

SECTION 1. Chapter 531, Government Code, is amended by adding Section 531.0691 to read as follows:

Section 531.0691. VENDOR DRUG PROGRAM INCLUSION. The commission shall ensure that the vendor drug program includes all drugs andy national drug codes made available on the federal Medicaid Drug Rebate Program regardless of the status of the certification of information for the drug.

(2) On page 3, between lines 11 and 12, add the following:

SECTION 3. Section 531.072, Government Code, is amended by adding Subsections (b-3), (g), and (h) to read as follows:

(b-3) Notwithstanding Subsection (b), the preferred drug lists must contain all therapeutic equivalents for a generic drug on the preferred drug list.

(g) The commission shall develop an expedited review process to consider requests from managed care organizations and providers to add drugs to the preferred drug list.

(h) The commission shall grant temporary non-preferred status to new drugs that are available but have not yet been reviewed by the drug utilization review board and establish criteria for authorizing drugs with temporary non-preferred status.

SECTION 4. Section 531.0736 (c) and (d), Government Code, are amended to read as follows:

(c) The executive commissioner shall determine the composition of the board, which must:

(1) comply with applicable federal law, including 42 C.F.R.

Section 456.716;

(2) include three ~~[two]~~ representatives of managed care organizations ~~[as nonvoting members]~~, all ~~[one]~~ of whom must be physicians or pharmacists ~~[a physician and one of whom must be a pharmacist]~~;

(3) include at least 17 physicians and pharmacists who:

(A) provide services across the entire population of Medicaid recipients and represent different specialties, including at least one of each of the following types of physicians:

- (i) a pediatrician;
- (ii) a primary care physician;
- (iii) an obstetrician and gynecologist;
- (iv) a child and adolescent psychiatrist;

and

- (v) an adult psychiatrist; and

(B) have experience in either developing or practicing under a preferred drug list; and

(4) include a consumer advocate who represents Medicaid recipients.

(d) Notwithstanding any other law, members ~~[Members]~~ appointed under Subsection (c)(2) may attend quarterly and other regularly scheduled meetings, but may not:

(1) attend portions of the executive sessions in which confidential drug pricing information is shared; or

(2) access confidential drug pricing information.

SECTION 5. Section 531.073 (b)(1) is repealed.