

1-1 By: Kolkhorst S.B. No. 493
1-2 (In the Senate - Filed November 22, 2024; February 3, 2025,
1-3 read first time and referred to Committee on Health & Human
1-4 Services; March 31, 2025, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
1-6 March 31, 2025, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Kolkhorst	X		
1-10	Perry	X		
1-11	Blanco	X		
1-12	Cook	X		
1-13	Hall		X	
1-14	Hancock	X		
1-15	Hughes		X	
1-16	Miles	X		
1-17	Sparks	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 493 By: Kolkhorst

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

1-21 relating to certain protected disclosures or communications by
1-22 pharmacists and pharmacies regarding prescription drug benefits.

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

1-24 SECTION 1. Subchapter A, Chapter 562, Occupations Code, is
1-25 amended by adding Section 562.0035 to read as follows:

1-26 Sec. 562.0035. PROTECTED DISCLOSURES AND COMMUNICATIONS BY
1-27 PHARMACISTS AND PHARMACIES REGARDING PRESCRIPTION DRUG BENEFITS.

1-28 (a) In this section, "enrollee" means an individual who is covered
1-29 under a health benefit plan, including a covered dependent.

1-30 (b) A pharmacist or pharmacy may not enter into a contract
1-31 or agreement or implement or effectuate a policy that prohibits or
1-32 restricts the pharmacist or pharmacy from:

1-33 (1) informing an enrollee of any difference between
1-34 the enrollee's out-of-pocket cost for a prescription drug under the
1-35 enrollee's health benefit plan and the out-of-pocket cost without
1-36 submitting a claim under the enrollee's health benefit plan; or

1-37 (2) communicating with sponsors of an enrollee's
1-38 health benefit plan regarding member services with respect to
1-39 prescription drug benefits, pharmacy services and benefits,
1-40 network access and adequacy with respect to prescription drug
1-41 benefits, partnership opportunities, or prescription claim
1-42 reimbursement.

1-43 SECTION 2. The change in law made by this Act applies only
1-44 to a contract or agreement entered into or amended on or after the
1-45 effective date of this Act.

1-46 SECTION 3. This Act takes effect September 1, 2025.

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