

1-1 By: Schwertner, Flores, Hughes S.B. No. 1122
1-2 (In the Senate - Filed February 6, 2025; February 24, 2025,
1-3 read first time and referred to Committee on Health & Human
1-4 Services; March 31, 2025, reported favorably by the following
1-5 vote: Yeas 6, Nays 2, one present not voting; March 31, 2025, sent
1-6 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 A BILL TO BE ENTITLED
1-19 AN ACT

1-20 relating to applicability of certain prescription drug insurance
1-21 laws to health benefit plans and pharmacy benefit managers.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subchapter L, Chapter 1369, Insurance Code, is
1-24 amended by adding Section 1369.5515 to read as follows:

1-25 Sec. 1369.5515. APPLICABILITY OF SUBCHAPTER. (a) Except
1-26 as provided by this subsection, a pharmacy benefit manager must
1-27 comply with the provisions of this subchapter with respect to each
1-28 health benefit plan administered by the pharmacy benefit manager,
1-29 regardless of whether a provision of this subchapter is
1-30 specifically made applicable to the plan. A pharmacy benefit
1-31 manager is not required to comply with a provision of this
1-32 subchapter with respect to a plan expressly excluded by this
1-33 subchapter from the applicability of the provision.

1-34 (b) This subchapter applies to a health benefit plan
1-35 provided to a resident of this state, regardless of whether the
1-36 plan, policy, agreement, or contract is delivered, issued for
1-37 delivery, or renewed within or outside this state and to the
1-38 pharmacy benefit manager for that plan.

1-39 SECTION 2. Section 1369.602, Insurance Code, is amended by
1-40 adding Subsections (d) and (e) to read as follows:

1-41 (d) Except as provided by this subsection, a pharmacy
1-42 benefit manager must comply with the provisions of this subchapter
1-43 with respect to each health benefit plan administered by the
1-44 pharmacy benefit manager, regardless of whether a provision of this
1-45 subchapter is specifically made applicable to the plan. A pharmacy
1-46 benefit manager is not required to comply with a provision of this
1-47 subchapter with respect to a plan expressly excluded by this
1-48 subchapter from the applicability of the provision.

1-49 (e) This subchapter applies to a health benefit plan
1-50 provided to a resident of this state, regardless of whether the
1-51 plan, policy, agreement, or contract is delivered, issued for
1-52 delivery, or renewed within or outside this state and to the
1-53 pharmacy benefit manager for that plan.

1-54 SECTION 3. As soon as practicable after the effective date
1-55 of this Act, the commissioner of insurance shall repeal all rules
1-56 that are inconsistent with the changes in law made by this Act.

1-57 SECTION 4. The changes in law made by this Act apply only to
1-58 a health benefit plan that is delivered, issued for delivery, or
1-59 renewed on or after January 1, 2026. A health benefit plan
1-60 delivered, issued for delivery, or renewed before January 1, 2026,
1-61 is governed by the law as it existed immediately before the

2-1 effective date of this Act, and that law is continued in effect for
2-2 that purpose.

2-3 SECTION 5. This Act takes effect September 1, 2025.

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