

Senate Bill 198

By: Senators Harrell of the 40th, Albers of the 56th, Butler of the 55th, Dugan of the 30th, Rahman of the 5th and others

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 33-64-9.1 of the Official Code of Georgia Annotated, relating to
2 reimbursement methodologies utilized by pharmacy benefits managers, so as to provide for
3 reimbursement requirements relating to the state health benefit plan or plans established for
4 school teachers, school employees, and state employees; to provide for related matters; to
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 33-64-9.1 of the Official Code of Georgia Annotated, relating to
9 reimbursement methodologies utilized by pharmacy benefits managers, is amended by
10 adding a new subsection to read as follows:

11 "(d) On and after January 1, 2025, a pharmacy benefits manager providing pharmacy
12 benefits management for the state health benefit plan or plans established pursuant to
13 Article 1 of Chapter 18 of Title 45 and Subparts 2 and 3 of Part 6 of Article 17 of Chapter 2
14 of Title 20 shall:

15 (1) Reimburse an independent pharmacy for a drug dispensed to an insured for
16 self-administration in an amount not less than the average reimbursement for chain retail

17 pharmacies reimbursed for the same drug, provided that the Department of Community
18 Health shall have discretion in determining what constitutes an independent pharmacy
19 and a chain retail pharmacy, how the pharmacy benefits manager is to calculate the
20 average price for a drug, and the procedure the pharmacy benefits manager shall follow
21 in the event that an independent pharmacy is under-reimbursed by the pharmacy benefits
22 manager at the time of initial claim adjudication;
23 (2) Provide an annual certification to the Department of Community Health certifying
24 compliance with this subsection; and
25 (3) Make its records available and provide cooperation to the Department of Community
26 Health, upon written demand in connection with financial examinations, audits, and
27 investigations regarding compliance with this subsection."

28 **SECTION 2.**

29 All laws and parts of laws in conflict with this Act are hereby repealed.