

PROPOSED AMENDMENT

HB 1332 # 5

DIGEST

Group prescription drug rebates. Requires that an insurer offer to plan sponsors the following plans: (1) A plan that applies 100% of the rebates to reduce premiums for all covered individuals equally. (2) A plan that calculates defined cost sharing for covered individuals of the plan sponsor at the point of sale based on a price that is reduced by an amount equal to at least 85% of all of the rebates received or estimated to be received by the insurer concerning the dispensing or administration of the prescription drug. Allows a plan sponsor to choose one of the offered plans. Makes a corresponding change to a provision concerning the disclosure of certain information by an insurer to a plan sponsor.

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- 1 Page 22, between lines 20 and 21, begin a new paragraph and insert:
2 "SECTION 11. IC 27-1-50-8 IS REPEALED [EFFECTIVE JULY
3 1, 2024]. ~~Sec. 8: An insurer shall pass through to a plan sponsor one~~
4 **hundred percent (100%) of all rebates concerning the dispensing or**
5 **administration of prescription drugs to the covered individuals of the**
6 **plan sponsor.**
7 SECTION 12. IC 27-1-50-9, AS ADDED BY P.L.166-2023,
8 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2024]: Sec. 9. **(a)** At the time of contracting, an insurer shall
10 **provide offer to plan sponsors the option of following plans:**
11 **(1) A plan that applies one hundred percent (100%) of the**
12 **rebates to reduce premiums for all covered individuals**
13 **equally.**
14 **(2) A plan calculating that calculates** defined cost sharing for
15 covered individuals of the plan sponsor at the point of sale based
16 on a price that is reduced by ~~some~~ **or an amount equal to at least**
17 **eighty-five percent (85%) of all of the rebates received or**
18 estimated to be received by the insurer concerning the dispensing
19 or administration of the prescription drug.
20 **(b) A plan sponsor may choose one (1) of the plans offered**
21 **under subsection (a).**
22 SECTION 13. IC 27-1-50-10, AS ADDED BY P.L.166-2023,
23 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

1 JULY 1, 2024]: Sec. 10. Nothing in this chapter prohibits an insurer
2 from decreasing a covered individual's defined cost sharing by an
3 amount greater than the amount required under section 8 9 of this
4 chapter.

5 SECTION 14. IC 27-1-50-11, AS ADDED BY P.L.166-2023,
6 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2024]: Sec. 11. An insurer shall disclose the following
8 information to a plan sponsor on at least an annual basis:

9 (1) The approximate amount of rebates expected to be received by
10 the insurer concerning the dispensing or administration of
11 prescription drugs to the covered individuals of the plan sponsor.

12 (2) An explanation that the plan sponsor may choose to:

13 (A) apply the rebates to reduce premiums for all covered
14 individuals; or

15 (B) calculate defined cost sharing for a covered individual at
16 the point of sale based on a price that is reduced by **an**
17 **amount equal to at least eighty-five percent (85%) of all**
18 rebates received or estimated to be received by the insurer
19 concerning the dispensing or administration of the covered
20 individual's prescription drugs.

21 (3) An explanation that, in the individual market, IC 27-1-49
22 requires that covered individual defined cost sharing be calculated
23 at the point of sale based on a price that is reduced by at least
24 eighty-five percent (85%) of the rebates concerning the
25 dispensing or administration of the covered individual's
26 prescription drugs.".

27 Renumber all SECTIONS consecutively.

(Reference is to HB 1332 as introduced.)