

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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*Codification  
District of  
Columbia  
Official Code*

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To amend, on a temporary basis, the AccessRx Act of 2004 to make technical changes to conform the District's law to the Maine law to withstand constitutional and other legal challenges by clarifying that the law applies to individuals who reside or are employed in the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "AccessRx Act Clarification Temporary Amendment Act of 2006".

Sec. 2. The AccessRx Act of 2004, effective May 18, 2004 (D.C. Law 15-164; D.C. Official Code § 48-831.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 48-831.02) is amended as follows:

Note,  
§ 48-831.02

(1) Paragraph (4)(A)(iii) is amended by striking the phrase "for its employees or members" and inserting the phrase "for its employees or members who are employed or reside in the District of Columbia" in its place.

(2) Paragraph (16) is amended by striking the phrase "to covered individuals" and inserting the phrase "to covered individuals for dispensation within the District of Columbia" in its place.

(b) Section 201 (D.C. Official Code § 48-832.01) is amended as follows:

Note,  
§ 48-832.01

(1) Subsection (b)(1) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase "aims;" and inserting the phrase "aims; and" in its place.

(B) Subparagraph (B) is repealed.

(2) Subsection (d) is amended as follows:

(A) Paragraph (1) is repealed.

(B) Paragraph (2) is amended to read as follows:

"(2) If the substitute drug costs more than the prescribed drug, the pharmacy benefits manager shall disclose to the covered entity the cost of both drugs and any benefit or payment directly or indirectly accruing to the pharmacy benefits manager as a result of the substitution."

**ENROLLED ORIGINAL**

(c) Section 202 (D.C. Official Code § 48-832.02) is amended by striking the phrase “and a covered entity” and inserting the phrase “and a covered entity entered into in the District of Columbia or by a covered entity in the District of Columbia” in its place.

**Note,  
§ 48-832.02**

**Sec. 3. Fiscal impact statement.**

The Council adopts the fiscal impact statement in the committee report for the AccessRx Act of 2004, effective May 18, 2004 (D.C. Law 15-164; D.C. Official Code § 48-831.01 *et seq.*), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

**Sec. 4. Effective date.**

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire on the 225th day after its having taking effect.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia