

By: Hinojosa, Nelson

S.B. No. 94

A BILL TO BE ENTITLED

AN ACT

relating to certain fees charged for the adjudication of pharmacy benefit claims.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 1369, Insurance Code, is amended by adding Subchapter I to read as follows:

SUBCHAPTER I. PHARMACY BENEFIT CLAIM ADJUDICATION

Sec. 1369.401. DEFINITION. In this subchapter, "pharmacy benefit manager" has the meaning assigned by Section [4151.151](#).

Sec. 1369.402. CERTAIN FEES PROHIBITED. A health benefit plan issuer or a pharmacy benefit manager may not directly or indirectly charge or hold a pharmacist or pharmacy responsible for a fee for any step of or component or mechanism related to the claim adjudication process, including:

- (1) the adjudication of a pharmacy benefit claim;
- (2) the processing or transmission of a pharmacy benefit claim;
- (3) the development or management of a claim processing or adjudication network; or
- (4) participation in a claim processing or adjudication network.

SECTION 2. The change in law made by this Act does not affect the terms of a contract, if any, entered into or renewed before the effective date of this Act until a renewal of the

1 contract that occurs on or after the effective date of this Act.

2 SECTION 3. This Act takes effect September 1, 2015.