



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 941

PRINTERS NO. 2922

PRIME SPONSOR: Heffley

### COST / (SAVINGS)

FUND	FY 2019/20	FY 2020/21
General Fund	\$0	\$0

**SUMMARY:** House Bill 941, Printer's Number 2922, amends Section 449 (Medical Assistance Pharmacy Services) of the Human Services Code. This legislation is effective in 60 days.

**ANALYSIS:** This legislation provides that the Department of Human Services (DHS) may conduct an audit or review of an "entity", which is defined as a pharmacy, pharmacy benefit manager (PBM), pharmacy services administration organization (PSAO) or other entity that manages, processes, influences the payment for or dispenses pharmacy services to Medical Assistance (MA) recipients in the managed care delivery system.

HB 941 includes the following: a list of provisions that are prohibited in contracts between entities and pharmacies; preventing the retroactive denial or modification of an approved claim for payment except in specific circumstances; prohibits a managed care organization or PBM from requiring a MA recipient to use a specific pharmacy if any party has ownership interest and from providing an incentive to use a specific pharmacy; placing restrictions on PBM and PSAO requirements for pharmacists and pharmacies; and requiring a MCO or PBM to provide payment for a pharmacy service that is within the scope of practice of a licensed pharmacist if it is a covered benefit when provided by a physician, advanced practice registered nurse or a physician assistant.

**FISCAL IMPACT:** According to the Department of Human Services, enactment of this legislation will have no fiscal impact.

**PREPARED BY:** Ann Bertolino  
House Appropriations Committee (R)

**DATE:** November 20, 2019

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*