Transparency

Kentucky (2013) S.B. 107
Kentucky Pharmacists successfully passed S.B. 107 through both chambers of the legislature by unanimous votes before being signed by Governor Steve Beshear (D).

Arkansas (2013) S.B. 1138
Arkansas’ bill passed the Senate unanimously with one vote against in the House.

North Dakota (2013) H.B. 1363
North Dakota’s legislation passed both chambers unanimously. Upon its final days within the legislative process Express Scripts supported the legislation’s movement.

Texas (2013) S.B. 1106
Texas’ law provides for MAC Transparency under the Medicaid managed care program. This bill passed both chambers by unanimous votes.

Oregon (2013) H.B. 2123 (MAC, Audit and PBM registration)
Oregon’s legislation passed both chambers by a unanimous vote and took numerous steps to reform the PBM/pharmacy relationship. Governor John Kitzhaber (D) signed the bill July 1, 2013. PBMs went neutral on the bill.

Iowa (2014) H.F. 2297
Iowa’s legislation passed the House and Senate unanimously on Tuesday, March 4, 2014. The bill was signed by Governor Terry Branstad on March 14, 2014.

New Mexico (2014) H.B. 126 (MAC and PBM Registration)
New Mexico’s bill passed the House unanimously. Governor Susana Martinez signed the bill into law on March 5, 2014.

Washington (2014) ESSB 6137 (MAC, Audit and PBM Registration) Washington’s S.B. 6137 requires PBMs to register with the State Department of Revenue. It also reforms the practice of pharmacy audits and provides for increased MAC transparency. Governor Jay Inslee (D) signed the legislation on April 2, 2014.

Utah (2014) H.B. 113
Utah’s H.B. 113 passed both chambers by unanimous votes before being signed by Governor Gary Herbert (R) on March 31, 2014.

Tennessee’s MAC legislation passed the House and Senate on April 14th. Governor Haslam signed the bill on May 16th.

Maryland (2014) S.B. 952/H.B. 793
Maryland’s MAC legislation passed the House and Senate on April 5th. The legislation was signed into law on May 5, 2014.

Colorado (2014) H.B. 14-1213
Colorado’s MAC legislation, very similar to Maryland’s legislation, passed the second chamber (Senate) on April 28th and was signed by Governor Hickenlooper on June 6, 2014.

Oklahoma (2014) H.B. 2100
Oklahoma’s PBM reform legislation, containing MAC transparency provisions, was signed by Governor Mary Fallin on May 12, 2014.

Louisiana (2014) S.B. 410
Louisiana’s MAC legislation was signed by Governor Bobby Jindal on May 30, 2014.

Michigan (2014) S.B. 656
Michigan’s MAC legislation provides MAC transparency for state plans. The bill was signed by Governor Snyder on June 16, 2014.
Minnesota (2014) Omnibus Budget Amendment
Minnesota successfully enacted MAC transparency standards into an omnibus budget bill.

Virginia (2015) H.B. 2031
The bill was signed by the Governor on March 27, 2015.

Arkansas (2015) S.B. 688 MAC Strengthen
Governor Hutchinson signed S.B. 688 into law on April 1, 2015 which will strengthen Arkansas's existing MAC law (enacted in 2013).

Georgia (2015) H.B. 470
Georgia’s legislation took steps to strengthen the state’s existing fair pharmacy audit law and implement MAC transparency standards. The Governor Deal signed the legislation on May 5, 2015.

Florida (2015) H.B. 1049
This bill was signed by Governor Scott on June 10, 2015.

Montana (2015) S.B. 211
This bill was signed by Governor Bullock on May 5, 2015.

Texas (2015) S.B. 332
This bill was signed by Governor Abbott on June 16, 2015.

Ohio (2015) H.B. 64 – Budget Bill
This bill was signed into law by Governor Kasich on June 30, 2015.

Hawaii (2015) H.B. 252
This bill was signed by Governor Ige on July 2, 2015.

Wisconsin (2015) S.B. 21 – Budget Bill
This bill was signed by Governor Walker on July 13, 2015.

California (2015) A.B. 627
This bill was signed by Governor Brown on July 13, 2015.

New York (2015)* S3346
The bill was signed into law by Governor Cuomo on December 11, 2015 and implements a generic drug reimbursement appeals process.

New Jersey (2016) S 2301
This bill was signed into law by Governor Christie on January 11, 2016.

Wyoming (2016) H.B. 35 (MAC, Audit, PBM Registration)
This bill was signed into law by Governor Mead on March 7, 2016.

Kansas (2016) S.B. 103
This bill was signed into law by Governor Brownback on March 23, 2016.

Tennessee (2016) S.B. 1789 MAC Appeal
This bill was signed into law by Governor Haslam on March 23, 2016.

Kentucky (2016) S.B. 117 MAC Strengthen
This bill was signed into law by Governor Bevin on April 9, 2016.

Maine (2016) L.D. 1150
This bill was signed into law by Governor LePage on April 11, 2016.

South Carolina (2016) S. 849
This bill was signed into law by Governor Haley on May 2, 2016.

Oklahoma (2016) S.B. 1150 MAC Strengthen
This bill was signed into law by Governor Fallin on May 9, 2016.

New Hampshire (2016) H.B. 1664
This bill was signed into law by Governor Hassan on June 3, 2016.
Missouri (2016) S.B. 635
This bill was signed into law by Governor Nixon on July 5, 2016.

Pennsylvania (2016) H.B. 946 (MAC, Audit, PBM Registration)
This bill was signed into law by Governor Wolf on November 22, 2016.

Ohio (2017) S.B. 319 (MAC Strengthen)
The bill was signed into law by Governor Kasich.

Montana (2017) H.B. 276 (MAC Strengthen)
The bill was signed into law by Governor Bullock.

Oregon (2013) H.B. 2123 (MAC, Audit and PBM Registration)
Oregon’s H.B. 2123 requires PBMs to register with Oregon’s Insurance Division. It also reforms the practice of pharmacy audits and provides for increased MAC transparency. Governor John Kitzhaber (D) signed the legislation July 1, 2013.

Washington (2014) ESSB 6137 (MAC, Audit and PBM Registration)
Washington’s S.B. 6137 requires PBMs to register with Washington State’s Department of Revenue. It also reforms the practice of pharmacy audits and provides for increased MAC transparency. Governor Jay Inslee (D) signed the legislation April 2, 2014.

Oklahoma (2014) H.B. 2100
Oklahoma’s PBM reform legislation, requiring PBM registration, was signed by the Governor on May 12, 2014.

Wyoming (2016) H.B. 35 (MAC, Audit, PBM Registration)
This bill was signed into law by Governor Mead on March 7, 2016.

Washington (2016) 5ESSSB 5857 (Registration /Regulation)
This bill was signed into law by Governor Inslee on April 7, 2016.

Anti-Mandatory Mail Order “AMMO”
Pennsylvania (2012) S.B. 201 / Act 207
Act 207 prohibits a copayment, deductible, fee, limitation on benefits or other condition or requirement for the coverage of prescription drugs when not imposed on the covered individual with a mail order pharmacy. Pennsylvania became the second state in the nation to enact anti-mandatory mail order legislation following New York in 2011.

Hawaii (2013) H.B. 65
H.B. 65 allows a retail pharmacy to enter into a contractual retail pharmacy network. This bill grants a patient the right to purchase their prescriptions at a contracted pharmacy instead of being required to purchase their medications through a mail order pharmacy owned by the PBM.

Arkansas (2015) S.B. 487
This law addresses PBM registration as a third party administrator and will ideally develop a more structured pathway for PBM enforcement and oversight.

Georgia (2017) S.B. 103
S.B. 103 Prohibits PBMs from requiring the use of mail-order pharmacies of insured individuals.

Fair and Uniform Pharmacy Audits
New Fair and Uniform Audit Laws
South Dakota: S.B. 133 signed 3/8/2013
Montana: S.B. 235 signed 3/28/2013
Alabama: S.B. 283 (2012); effective 8/1/2012
California: S.B. 1195 (2012); effective 1/1/2013
Indiana: S.B. 407 (2012); effective 7/1/2012
Louisiana: S.B. 756 (2012); effective 8/1/2012
Minnesota: H.F. 1235/S.F. 973 (2012); effective 8/1/2012
South Carolina: S.B. 1269 (2012); effective 1/1/2013
Utah: H.B. 76 (2012); effective 5/8/2012
Vermont: S.B. 200 (2012); effective 7/1/2012
Texas: H.B. 1358 (2013); effective 9/1/2013
Oregon: H.B. 2123 (2013); effective 1/1/2014
New Hampshire: S.B. 38 (2013); effective 1/1/2014
Washington: ESSB 6137 (2014)
Florida: S.B. 702 (2014) effective 10/1/2014
Connecticut: S.B. 14 (2014); effective 10/1/2014
Massachusetts: S.2286 (2014); effective 1/1/2015
Arkansas Title 17, Chapter 92; effective 4/3/2007
Kentucky Chapter 304, Subtitle 17A, Sections 1-5; Effective 3/24/2009
Missouri: Chapter 338 Section 338.600; effective 8/1/2009
New Mexico: Chapter 61 – Article 11 61-11-18.2; Effective 7/1/2007
Oklahoma: Title 59, Section 356; Effective: 11/01/2008
Ohio: S.B. 258 signed 12/18/2014
West Virginia: S.B. 522 signed 5/23/2017

**Medication Synchronization**

Vermont: (2014) BCBS and MVP Health Care agreed to implement prorated co-payments for patients who wish to begin a medication synchronization program.

Colorado: HB 1359 (2014); effective 5/17/2014
Oregon: SB 1579 (2014); effective 1/1/2015
Utah: SB 210 (2014); effective 5/13/2014
Arizona: SB 1288 (2015); effective 7/3/2015
Kentucky: HB 140 (2015); effective 1/1/2016
New Mexico: HB 274 (2015); effective 6/19/2015
Washington: SB 5441/HB 1566 (2015); effective 7/24/2015
Connecticut: HB 5771 (2015); effective 7/1/2015
North Carolina: HB 97 (2015); effective 1/1/2016
North Carolina: HB 95 (2015); effective 7/30/2015
Michigan: SB 150 (2016); effective 3/15/2017
Ohio: HB 116 (2016); effective 6/1/2016
Missouri: SB 865 (2016); effective 8/28/2016
Pennsylvania: HB 2069 (2016) *only for PACE*
Louisiana: BoP Promulgated Final Rule (2016)
Texas: HB 1296 (2017); effective 9/1/2017
Hawaii: HCR 164 (2017)
Indiana: HB 1540 (2017); 7/1/2017
New Hampshire: SB 64 (2017); 4/17/2017
Oklahoma: HB 1824 (2017); 11/1/2017
Florida: SB 800 (2017); effective 1/1/2018
Idaho: BoP Rule 116 (2017)

**Strengthened Pharmacy Audit Laws**

Utah: S.B.194 signed 3/26/2014
Mississippi: H.B. 1490 (2012); effective 7/1/2012
Maryland: S.B. 903 (2012); effective 10/1/2012
Maine: L.D. 44 (2013); signed 5/7/2013 effective 9/2013;
Tennessee: S.B.63 signed 5/14/2014
Georgia: H.B. 179 signed 5/6/2014
Georgia: H.B.470 signed 5/5/2015

**Direct and Indirect Remuneration Fees (DIRs) and Co-Pay Clawbacks**

Louisiana: HB 864 (2016); effective 8/1/2016
Georgia: SB 103 (2017); effective 7/1/2017
North Dakota: SB 2258 (2017)
Texas: SB 1076 (2017)
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**Contact**

If you wish to discuss community pharmacies legislative efforts in a particular state, please contact NCPA State Government Affairs at Fara.Klein@ncpanet.org or 703.838.2694.