

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB19-1296 be amended as follows:

1 Amend printed bill, page 8, line 5, strike "REBATES," and substitute  
2 "REBATES AND".

3 Page 8, line 6, strike "OR OTHER SOURCES OF REVENUE" and substitute  
4 "OTHER THAN REBATES USED TO REDUCE COST SHARING FOR PRESCRIPTION  
5 DRUGS IN ACCORDANCE WITH SECTION 10-16-148,".

6 Page 26, lines 22 and 23, strike "**Cost sharing in prescription drugs -  
7 limits - definitions - confidentiality of rebate information**" and  
8 substitute "**Cost sharing for prescription drugs - required rebate  
9 reductions - definitions**".

10 Page 27, strike lines 7 through 27.

11 Page 28, strike lines 1 through 4 and substitute:

12 "(d) "REBATE" MEANS A PRICE CONCESSION GIVEN BY A  
13 MANUFACTURER DIRECTLY TO A CARRIER OR PHARMACY BENEFIT  
14 MANAGEMENT FIRM THAT REDUCES THE CARRIER'S PRESCRIPTION DRUG  
15 COSTS FOR THE BENEFIT YEAR.

16 (2) FOR EACH OF ITS HEALTH COVERAGE PLANS ISSUED OR  
17 RENEWED ON OR AFTER JANUARY 1, 2021, A CARRIER SHALL REDUCE THE  
18 AMOUNT OF COST SHARING THAT IT WOULD OTHERWISE CHARGE A  
19 COVERED PERSON FOR A PRESCRIPTION DRUG BY AN AMOUNT EQUAL TO  
20 ONE HUNDRED PERCENT OF THE ESTIMATED REBATE PER PRESCRIPTION  
21 THAT THE CARRIER RECEIVED FOR THE PRESCRIPTION DRUG, CALCULATED  
22 BASED ON THE REBATES THE CARRIER RECEIVED FOR THAT PRESCRIPTION  
23 DRUG IN THE PREVIOUS QUARTER; EXCEPT THAT THE REDUCTION AMOUNT  
24 SHALL NOT EXCEED AN AMOUNT EQUAL TO THE COVERED PERSON'S  
25 COST-SHARING AMOUNT THAT WOULD OTHERWISE BE CHARGED FOR THE  
26 DISPENSED PRESCRIPTION DRUG. NEITHER THE COVERED PERSON NOR THE  
27 CARRIER IS RESPONSIBLE FOR ANY DIFFERENCE BETWEEN THE ESTIMATED  
28 REBATE AMOUNT AND THE ACTUAL REBATE THE CARRIER RECEIVES.".

29 Page 28, line 9, strike "SECTION." and substitute "SECTION, WHICH RULES  
30 MUST ENSURE THAT REBATES ARE APPLIED IN A MANNER TO PROVIDE A  
31 PRICE REDUCTION FOR COVERED PERSONS WHO HAVE NOT REACHED THEIR  
32 ANNUAL COST-SHARING LIMIT AND TO LIMIT THE EFFECT ON PREMIUMS.".

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