

HB1122\_L.005

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Insurance.

HB22-1122 be amended as follows:

1 Amend printed bill, page 6, strike lines 5 through 7 and substitute:

2           **"10-16-1504. Applicability - exclusions.** (1) THIS PART 15  
3 APPLIES TO ANY THIRD PARTY THAT REIMBURSES 340B COVERED ENTITIES  
4 OR CONTRACT PHARMACIES IN THIS STATE.

5           (2) NOTHING IN THIS PART 15:

6           (a) PROHIBITS A THIRD PARTY FROM MAINTAINING DIFFERENTIAL  
7 REIMBURSEMENT RATES FOR PARTICIPATING AND NONPARTICIPATING  
8 PROVIDERS, SO LONG AS THE RATES ARE NOT DETERMINED ON THE BASIS  
9 OF A PROVIDER'S STATUS AS A 340B COVERED ENTITY OR CONTRACT  
10 PHARMACY;

11           (b) AFFECTS A THIRD PARTY'S ABILITY TO ESTABLISH COVERAGE  
12 GUIDELINES AND EXCLUDE SPECIFIC DRUGS FROM ITS PRESCRIPTION DRUG  
13 FORMULARIES, SO LONG AS THE GUIDELINES AND EXCLUSIONS ARE NOT  
14 DETERMINED ON THE BASIS OF A PROVIDER'S STATUS AS A 340B COVERED  
15 ENTITY OR CONTRACT PHARMACY OR OF A DRUG'S STATUS AS A 340B  
16 DRUG; OR

17           (c) REQUIRES A THIRD PARTY TO CONTRACT WITH A 340B  
18 COVERED ENTITY OR CONTRACT PHARMACY FOR PURPOSES OF  
19 PARTICIPATING IN THE THIRD PARTY'S NETWORK, SO LONG AS THE THIRD  
20 PARTY'S CONTRACTING DECISIONS ARE NOT DETERMINED ON THE BASIS OF  
21 A PROVIDER'S STATUS AS A 340B COVERED ENTITY OR CONTRACT  
22 PHARMACY."

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