

1-1 By: Watson S.B. No. 1346
 1-2 (In the Senate - Filed March 6, 2017; March 14, 2017, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 April 3, 2017, reported favorably by the following vote: Yeas 9,
 1-5 Nays 0; April 3, 2017, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-7 | | | | |
| 1-8 | X | | | |
| 1-9 | X | | | |
| 1-10 | X | | | |
| 1-11 | X | | | |
| 1-12 | X | | | |
| 1-13 | X | | | |
| 1-14 | X | | | |
| 1-15 | X | | | |
| 1-16 | X | | | |

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to disclosure of state agency contract information
 1-20 regarding administrator services for group health benefit plans.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. The heading to Subchapter H, Chapter 2158,
 1-23 Government Code, is amended to read as follows:

1-24 SUBCHAPTER H. PURCHASE OF PHARMACY BENEFIT MANAGER SERVICES OR OF
 1-25 ADMINISTRATOR SERVICES FOR GROUP HEALTH BENEFIT PLAN

1-26 SECTION 2. Section 2158.401(b), Government Code, is amended
 1-27 to read as follows:

1-28 (b) This subchapter applies in relation to a state agency
 1-29 contract or proposed contract for pharmacy benefit manager services
 1-30 or for services as an administrator for a group health benefit plan
 1-31 without regard to whether the contract or proposed contract is
 1-32 otherwise subject to this subtitle.

1-33 SECTION 3. Section 2158.402, Government Code, is amended by
 1-34 amending Subsections (a) and (b) and adding Subsections (a-1) and
 1-35 (d) to read as follows:

1-36 (a) A state agency on request of another state agency shall
 1-37 disclose information relating to the amounts charged by:

1-38 (1) a pharmacy benefit manager for pharmacy benefit
 1-39 manager services provided under a prescription drug program and
 1-40 other requested pricing information related to a contract for
 1-41 pharmacy benefit manager services; or

1-42 (2) an administrator of a health benefit plan for
 1-43 services provided for a group health benefit plan and other
 1-44 requested pricing information related to a contract for
 1-45 administrator services for a group health benefit plan.

1-46 (a-1) A state agency shall provide information requested
 1-47 under this section not later than the 30th day after the date the
 1-48 information is requested.

1-49 (b) Subsection (a) does not require a state agency to
 1-50 disclose information the agency is specifically prohibited from
 1-51 disclosing under a contract with:

1-52 (1) a pharmacy benefit manager executed before
 1-53 September 1, 2009; or

1-54 (2) an administrator for a health benefit plan
 1-55 executed before September 1, 2017.

1-56 (d) A contract entered, amended, or extended on or after
 1-57 September 1, 2017, may not contain a provision that prohibits a
 1-58 state agency from disclosing under this subchapter information on
 1-59 the amounts charged by an administrator for a health benefit plan
 1-60 for services provided for a group health benefit plan or from
 1-61 disclosing under this subchapter other pricing information related

2-1 to the contract.

2-2 SECTION 4. This Act takes effect September 1, 2017.

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