

5ESSB 5857 - H AMD TO GGIT COMM AMD (H-4627.2/16) 918

By Representative Cody

WITHDRAWN 03/04/2016

1 On page 2, line 5 of the striking amendment, after "appeal" insert
2 "under RCW 19.340.100"

3
4 On page 5, line 38 of the striking amendment, after "than" strike
5 "ten" and insert "fifteen"

6
7 On page 6, beginning on line 4 of the striking amendment, after
8 "which" strike all material through "(c)" on line 9 and insert
9 "predetermined reimbursement costs have been established, such as a
10 maximum allowable cost or maximum allowable cost list or any other
11 benchmark prices utilized by the pharmacy benefit manager and must
12 include the basis of the methodology and sources utilized to determine
13 multisource generic drug reimbursement.

14 (b)"

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16 On page 6, after line 10 of the striking amendment, insert the
17 following:

18 "(c) "Multisource generic drug" means any covered outpatient
19 prescription drug for which there is at least one other drug product
20 that is rated as therapeutically equivalent under the food and drug
21 administration's most recent publication of "Approved Drug Products
22 with Therapeutic Equivalence Evaluations;" is pharmaceutically
23 equivalent or bioequivalent, as determined by the food and drug
24 administration; and is sold or marketed in the state during the
25 period."

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1 On page 6, line 28 of the striking amendment, after "determine
2 the" strike "maximum allowable cost pricing" and insert "predetermined
3 reimbursement costs for multisource generic drugs"

4
5 On page 6, line 38 of the striking amendment, after "of" strike
6 "maximum allowable cost" and insert "the predetermined reimbursement
7 costs for multisource generic drugs"

8
9 On page 7, at the beginning of line 1 of the striking amendment,
10 strike "maximum allowable cost pricing" and insert "predetermined
11 reimbursement costs for multisource generic drugs"

12
13 On page 7, at the beginning of line 2 of the striking amendment,
14 strike "maximum allowable cost" and insert "predetermined
15 reimbursement cost for a multisource generic drug"

16
17 On page 7, line 12 of the striking amendment, after "of a" strike
18 "maximum allowable cost" and insert "predetermined reimbursement cost
19 for a multisource generic drug"

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21 On page 7, at the beginning of line 17 of the striking amendment,
22 strike "maximum allowable cost" and insert "predetermined
23 reimbursement cost for the multisource generic drug"

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25 On page 7, beginning on line 20 of the striking amendment, after
26 "determination." strike all material through "network." on line 22

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28 On page 7, at the beginning of line 32 of the striking amendment,
29 strike "ten" and insert "fifteen"

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EFFECT: Increases the number of retail outlets a pharmacy may
have in order to be eligible for the changed pharmacy benefit
manager (PBM) appeals process and the appeal to the Office of the
Insurance Commissioner (OIC) from 9 retail outlets to 14 retail
outlets. Makes definitions consistent between pharmacies with under

15 retail outlets and pharmacies with 15 or more retail outlets by making the following changes for pharmacies with 15 or more retail outlets: (a) altering the definition of "list;" (b) inserting a definition for "multisource generic drug;" and (c) replacing "maximum allowable cost" with "predetermined reimbursement cost for multisource generic drugs." Clarifies that the OIC only has the authority to render binding decisions arising from PBM appeals involving pharmacies with fewer than 15 retail outlets.

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