



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-2911/1
TJD:amn/jld/kjf

2015 SENATE BILL 238

August 24, 2015 - Introduced by Senators KAPENGA, LAZICH, LEMAHIEU, MOULTON, NASS, ROTH and STROEBEL, cosponsored by Representatives JACQUE, KLEEFISCH, ALLEN, BALLWEG, BERNIER, BORN, BRANDTJEN, R. BROOKS, CRAIG, CZAJA, EDMING, GANNON, HEATON, HORLACHER, HUTTON, JARCHOW, KNODL, KNUDSON, KOOYENGA, KREMER, KRUG, KULP, T. LARSON, MACCO, MURPHY, A. OTT, PETERSEN, QUINN, ROHRKASTE, SANFELIPPO, SCHRAA, SKOWRONSKI, STEFFEN, THIESFELDT, TITTL and VORPAGEL. Referred to Committee on Health and Human Services.

- 1 **AN ACT to create** 49.45 (49g) of the statutes; **relating to:** billing the Medical
2 Assistance program for prescription drugs by certain entities.

Analysis by the Legislative Reference Bureau

This bill requires certain entities, when billing the Medical Assistance (MA) program for reimbursement of a prescription drug, to bill the actual acquisition cost of the prescription drug and the dispensing fee charged under the MA program.

Under current law, the MA program provides coverage for prescription drugs as a benefit. The federal government, under current federal law, has an agreement with drug manufacturers to limit the price of certain drugs purchased by covered entities to the average manufacturer price reduced by any rebate percentage. "Covered entity" is defined in federal law and, for purposes of this bill, means certain family planning projects and certain entities that receive funds related to treatment of sexually-transmitted diseases or tuberculosis. This bill specifies that a covered entity must charge the actual acquisition cost of a prescription drug and the standard MA dispensing fee when billing the MA program for reimbursement.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 **SECTION 1.** 49.45 (49g) of the statutes is created to read:

