

State of Misconsin 2023 - 2024 LEGISLATURE

LRBa1140/1 JPC:cjs

ASSEMBLY AMENDMENT 3, TO ASSEMBLY BILL 773

February 12, 2024 - Offered by Representative SCHRAA.

1	At the locations indicated, amend the bill as follows:
2	1. Page 25, line 2: after that line insert:
3	"SECTION 29m. 632.865 (6d) of the statutes is created to read:
4	632.865 (6d) AUDITS OF PHARMACY BENEFIT MANAGERS. (a) The commissioner
5	may examine and audit the books and records of a pharmacy benefit manager as
6	necessary to determine any of the following:
7	1. The aggregate amount of rebates received by a pharmacy benefit manager.
8	2. The aggregate amount of rebates distributed by a pharmacy benefit manager
9	to an appropriate health benefit plan sponsor.
10	3. The aggregate amount of rebates passed on to an enrollee of any health
11	benefit plan at the point of sale that reduced the enrollee's applicable deductible,
12	copayment, coinsurance, or other cost sharing amount.

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1	4. The aggregate amount paid by a health benefit plan sponsor to the pharmacy
2	benefit manager for any pharmacist item or service itemized by pharmacy, product,
3	and good or service.
4	5. The aggregate amount a pharmacy benefit manager paid for any pharmacist
5	item or service itemized by pharmacy, product, and good or service.
6	6. Whether the pharmacy benefit manager has violated any provision of this
7	subchapter or ch. 633.
8	(b) Information obtained under this subsection is confidential and may not be
9	shared unless the information is required to be shared under state or federal law.".
10	2. Page 25, line 21: after that line insert:
11	"SECTION 31g. 632.865 (7) (b) of the statutes is amended to read:
12	632.865 (7) (b) Reports Subject to par. (bm), reports under this subsection shall
13	be considered a trade secret under the uniform trade secret act under s. 134.90.
14	SECTION 31r. 632.865 (7) (bm) of the statutes is created to read:
15	632.865 (7) (bm) The state auditor may inspect any reports submitted to the
16	commissioner under this subsection and any other information or record submitted
17	by a pharmacy benefit manager to the commissioner.".
18	(END)