



Sen. Andy Manar

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10000HB3479sam001

LRB100 10189 SMS 39754 a

1 AMENDMENT TO HOUSE BILL 3479

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3479 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Insurance Code is amended by  
5 adding Article XXXIIB as follows:

6 (215 ILCS 5/Art. XXXIIB heading new)

7 ARTICLE XXXIIB. PHARMACY BENEFITS MANAGERS

8 (215 ILCS 5/513b1 new)

9 Sec. 513b1. Pharmacy benefits managers.

10 (a) As used in this Section:

11 "Pharmacist" has the meaning given to that term in the  
12 Pharmacy Practice Act.

13 "Pharmacy" has the meaning given to that term in the  
14 Pharmacy Practice Act.

15 "Pharmacy benefits manager" means an entity that

1 administers or manages a pharmacy benefits plan or program.

2 "Pharmacy benefits manager affiliate" means a pharmacy or  
3 pharmacist that directly or indirectly, through one or more  
4 intermediaries, owns or controls, is owned or controlled by, or  
5 is under common ownership or control with a pharmacy benefits  
6 manager.

7 (b) By January 1, 2022, no pharmacy benefits manager shall  
8 operate a pharmacy benefits manager affiliate in the State.

9 (c) A pharmacy benefits manager may not reimburse a  
10 pharmacy or pharmacist in the State an amount less than the  
11 amount that the pharmacy benefits manager reimburses a pharmacy  
12 benefits manager affiliate for providing the same pharmacist  
13 services. A pharmacy benefits manager shall not reimburse a  
14 pharmacy or pharmacist in the State an amount less than the  
15 amount that the pharmacy benefits manager reimburses any other  
16 network pharmacy.

17 (d) A pharmacy benefits manager may not prohibit a pharmacy  
18 or pharmacist from providing a customer with a more affordable  
19 alternative if a more affordable alternative is available.

20 (e) A pharmacy benefits manager may not prohibit a pharmacy  
21 or pharmacist from allowing a pharmacy or pharmacist to  
22 disclose any contract information to a legislator or government  
23 agency.

24 (f) The Department of Insurance may examine any contracts  
25 or audit any books and records of a pharmacy benefits manager  
26 about which it receives a complaint under this Section.

1       (g) A pharmacy benefits manager contracting with a managed  
2 care organization to administer pharmacy benefits for the State  
3 Employee Group Health Insurance or any county, municipal, or  
4 school health plan shall allow the Auditor General to audit, at  
5 his or her discretion, contracts, books, and records for  
6 impermissible conduct under this Section."