

SB3179



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3179

Introduced 2/6/2024, by Sen. Napoleon Harris, III

SYNOPSIS AS INTRODUCED:

215 ILCS 5/513b1.5 new

Amends the Illinois Insurance Code. Provides that all compensation remitted by or on behalf of a pharmaceutical manufacturer, pharmaceutical developer, or pharmaceutical labeler, directly or indirectly, to a health insurer or to a pharmacy benefit manager under contract with a health insurer that is related to the health insurer's prescription drug benefits must be either remitted directly to the covered person at the point of sale to reduce the out-of-pocket cost to the covered person associated with a particular prescription drug or remitted to and retained by the health insurer. Requires a health insurer to file with the Department of Insurance a report demonstrating the health insurer's compliance with the provisions.

LRB103 37210 RPS 67329 b

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Insurance Code is amended by
5 adding Section 513b1.5 as follows:

6 (215 ILCS 5/513b1.5 new)

7 Sec. 513b1.5. Compensation remitted to a health insurer or
8 pharmacy benefit manager.

9 (a) All compensation remitted by or on behalf of a
10 pharmaceutical manufacturer, pharmaceutical developer, or
11 pharmaceutical labeler, directly or indirectly, to a health
12 insurer or to a pharmacy benefit manager under contract with a
13 health insurer that is related to the health insurer's
14 prescription drug benefits must be:

15 (1) remitted directly to the covered person at the
16 point of sale to reduce the out-of-pocket cost to the
17 covered person associated with a particular prescription
18 drug; or

19 (2) remitted to and retained by the health insurer.

20 Compensation remitted to the health insurer must be applied by
21 the health insurer in the health insurer's plan design and in
22 future plan years to offset the premium for covered persons.

23 (b) Beginning January 1, 2026, and annually thereafter, a

1 health insurer shall file with the Department a report, in the
2 manner and form determined by the Department, demonstrating
3 the health insurer's compliance with this Section.