

PHARMACY BENEFIT MANAGER LICENSURE AND REGULATION ACT (EXCERPT)
Act 11 of 2022

***** 550.831.new THIS NEW SECTION IS EFFECTIVE JANUARY 1, 2024 *****

550.831.new Contractual restrictions and limitations with pharmacists or pharmacies; disclosure of costs; payment at point of sale.

Sec. 21. (1) A contract between a pharmacy benefit manager and a pharmacist or a pharmacy that provides drug coverage for health plans must not prohibit or restrict a pharmacy or pharmacist from, or penalize a pharmacy or pharmacist for, disclosing to a covered person or enrollee health care information that the pharmacy or pharmacist considers appropriate regarding any of the following:

(a) The nature of the treatment or the risks or the alternatives to the treatment.

(b) The availability of alternate therapies, consultations, or tests.

(2) A pharmacy benefit manager shall not prohibit a pharmacy or pharmacist from discussing information regarding the total cost for pharmacist services for a drug or from selling a more affordable alternative to the covered person or enrollee if a more affordable alternative is available.

(3) A carrier, health plan, or pharmacy benefit manager shall not require a covered person or enrollee to make a payment for a prescription drug at the point of sale in an amount greater than the lesser of the following:

(a) The applicable copayment, coinsurance, and deductible.

(b) The final reimbursement amount to the network pharmacy.

History: 2022, Act 11, Eff. Jan. 1, 2024.