

4.23.18

HB1358\_L.008

## HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health, Insurance, & Environment.HB18-1358 be amended as follows:

1 Amend printed bill, page 6, line 1, after "NATURE;" add "EXCEPT THAT  
2 THIS SUBSECTION (13)(a) DOES NOT INCLUDE A FACILITY THAT IS SUBJECT  
3 TO THE REQUIREMENTS OF SECTION 25-1-120 (1)(e);".

4 Page 9, after line 14 insert:

5 "(d) NOTHING IN THIS SECTION PRECLUDES A HEALTH CARE  
6 FACILITY OR HEALTH CARE PROVIDER FROM INCLUDING ADDITIONAL  
7 EXPLANATORY OR OTHER ACCOMPANYING INFORMATION IN ITS PUBLISHED  
8 FEE SCHEDULE OR CHARGEMASTER REQUIRED BY THIS SECTION."

9 Page 10, line 4, after "IF" insert "ALL OR A PORTION OF" and strike  
10 "ENTIRE".

11 Page 10, line 8, strike "PROVIDER SHALL" and substitute "PROVIDER, IN  
12 LIEU OF PUBLISHING ITS ENTIRE FEE SCHEDULE OR CHARGEMASTER IN  
13 ACCORDANCE WITH SUBSECTIONS (1) AND (2) OF THIS SECTION, MAY".

14 Page 11, line 17, strike "PROMPTLY UPON ANY CHANGE IN THE  
15 INFORMATION," and substitute "AT LEAST ANNUALLY,".

16 Page 12, line 12, after "2019," insert "UNLESS THE PATIENT REQUESTS  
17 THAT THE BILL NOT BE ITEMIZED,".

18 Page 12, line 22, strike "THE AMOUNT OF THE FEE IN A".

19 Page 12, strike line 23 and substitute "A DISCLOSURE ON EVERY BILLING  
20 STATEMENT PRESENTED OR TRANSMITTED TO PATIENTS EXPLAINING WHAT  
21 THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE IS, THE  
22 AMOUNT OF THE FEE THE HOSPITAL PAYS, WHAT THE FEE PAYS FOR, THE  
23 FUNCTION AND PURPOSE OF THE FEE, AND ANY OTHER INFORMATION  
24 ABOUT THE FEE AS MAY BE SPECIFIED BY THE EXECUTIVE DIRECTOR BY  
25 RULE."

26 Page 14, after line 6 insert:

27 "(c) NOTHING IN THIS SECTION PRECLUDES A PHARMACY FROM  
28 INCLUDING ADDITIONAL EXPLANATORY OR OTHER ACCOMPANYING  
29 INFORMATION IN ITS PUBLISHED LIST OF RETAIL DRUG PRICES REQUIRED BY  
30 THIS SECTION.

31 (2) (a) A PHARMACY IS NOT REQUIRED TO PUBLISH OR PROVIDE ITS

1 ENTIRE LIST OF RETAIL DRUG PRICES IF ALL OR A PORTION OF THE  
2 PHARMACY'S LIST OF RETAIL DRUG PRICES IS BASED ON A PERCENTAGE OF  
3 A CMS FEE SCHEDULE FOR MEDICARE. IF A PHARMACY BASES ALL OR A  
4 PORTION OF ITS LIST OF RETAIL DRUG PRICES ON A PERCENTAGE OF A CMS  
5 FEE SCHEDULE, THE PHARMACY, IN LIEU OF PUBLISHING ITS ENTIRE LIST OF  
6 RETAIL DRUG PRICES IN ACCORDANCE WITH SUBSECTION (1) OF THIS  
7 SECTION, MAY PUBLISH OR PROVIDE INFORMATION AS SPECIFIED BY THE  
8 BOARD BY RULE THAT, AT A MINIMUM, MUST INCLUDE:

9 (I) THE SPECIFIC CMS FEE SCHEDULE THAT THE PHARMACY USES,  
10 THE APPLICABLE DATE OF THE CMS FEE SCHEDULE ON WHICH THE  
11 PHARMACY'S RETAIL DRUG PRICES ARE BASED, AND THE PERCENTAGE OF  
12 THE CMS FEE SCHEDULE ON WHICH THE PHARMACY BASES ITS RETAIL  
13 DRUG PRICES; AND

14 (II) ANY OTHER INFORMATION NECESSARY TO ENABLE A PERSON  
15 TO DETERMINE THE RETAIL DRUG PRICE FOR A PRESCRIPTION DRUG.

16 (b) FOR ANY PORTION OF THE PHARMACY'S LIST OF RETAIL DRUG  
17 PRICES THAT IS NOT BASED ON A PERCENTAGE OF A CMS FEE SCHEDULE,  
18 THE PHARMACY SHALL PUBLISH OR PROVIDE THAT PORTION OF ITS LIST OF  
19 RETAIL DRUG PRICES IN ACCORDANCE WITH SUBSECTION (1) OF THIS  
20 SECTION."

21 Renumber succeeding subsections accordingly.

22 Page 14, strike line 8 and substitute "PRICES AT LEAST ANNUALLY, AS  
23 SPECIFIED".

24 Page 19, strike lines 12 through 20.

25 Renumber succeeding sections accordingly.

26 Page 19, strike lines 23 through 27.

27 Page 20, strike lines 1 through 3.

28 Renumber succeeding section accordingly.

29 Page 20, lines 4 and 5, strike "Sections 4 and 5 of this act take" and  
30 substitute "Section 4 of this act takes".

31 Page 20, line 15, strike "sections 4 and 5" and substitute "section 4" and  
32 strike "take" and substitute "takes".

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