

Washington- RCW 19.340.100

Requires PBMs to register and pay an annual fee. It also establishes standards for auditing pharmacy claims. Additionally PBMs must use a standard for determining MAC prices, make this list available to pharmacies and update the prices every seven business days. This law also allows pharmacies to have an appeal process for correct reimbursement, if denied a NCD (national drug code) for a drug that can be purchased at a price that is less or equal to the MAC (maximum allowable cost).

Oregon- Chp 570 Section 13

PBMs are required to register with the state. Also PBMs are required to give the sources for developing the MAC prices. These sources must be usable by the pharmacy; the list must also be updated every seven days. This law also provides an appeal process for reimbursement and the PBM must give a final response and a NDC for a drug that can be purchased for equal or less than the MAC price.

Utah- Title 58 Chp 17b Part 6 Section 622

This law requires PBMs to have the MAC price established from a current comparable database, along with updating the data at least once a week. PMBs must include the NDC and other data sources used to arrive at the MAC price. An appeal process is available but limited to 21 days after the claim and the PBM must respond in 14 business days. If denied, an NDC for a medication to be purchased at or below MAC will be given, and a final reason for denial. PBMs are required to register with the state.

Colorado- HB14

PMBs are required to give a basis for MAC pricing determination, also this basis is to be updated every seven days. An appeal process to dispute the MAC pricing and reimbursement is available.

North Dakota: Title 58 Chp 17b Part 6 Section 622

Must provide sources that were utilized to determine the MAC price, this must be updated every seven business days, and provide notification of the price changes to network pharmacies. Provides an appeal process for reimbursement within seven days of the claim, Medicaid is exempt, and if a PBM violates this it is a class B misdemeanor.

Kentucky: KRS 304.17A-162

PBMs are required to provide the sources used to determine MAC prices; this must be updated every seven business days, also give notification to the pharmacy of price changes. An appeal

process is available within 60 days of the claim and be resolved within 10 days, if the appeal is denied an NDC for a drug available under or at the MAC price.

Maryland: Article 15-1628.1

Requires PBMs to provide the sources used to arrive at the MAC price, these sources must be updated every seven days, and then provided to pharmacies. Appeal process is available, it must be filed within 21 days of the claim, must be investigated within 21 days, if denied a reason must be given along with an NDC for a drug that can be purchased under or at the MAC price.

Minnesota: Statute 151.214

The PBM shall give a pharmacy a current list of the sources that were utilized to determine the MAC, and the prices will be updated at least every seven business days. The pharmacy also has the ability to appeal a reimbursement within 15 days of the claim, and the appeal must be investigated within seven business days. If the appeal is denied the PBM must give an NDC for a drug that can be purchased at or less than the MAC, if the appeal approved the PBM shall make adjustments to the minimum allowable cost no later than one business day, and also make adjustments to similar situated network pharmacies.

Oklahoma: HB 2100

Requires PBMs to register with the state, also the PBM to provide the difference in what the PBM billed the plan sponsor and the provider for a prescription. Additionally, PBMs are required to provide the sources used to determine the MAC; these prices are to be updated every seven calendar days, also provide a reasonable appeal process for reimbursements within 10 days of the claim. If the appeal is denied, a reason must be given with 10 business days; if the appeal is accepted the PBM will reverse and rebill the claim in question.

Iowa: HF 2297

The MAC pricing methodology must be available to the commissioner and the methodologies must be from multiple sources. The PBMs must allow a pharmacy to contest or appeal the MAC reimbursement and allow for a retroactive reimbursement if the pricing has been applied incorrectly.

Arkansas: SB 1138

Requires the PBM to provide access to the MAC list to each pharmacy, the list will be updated in a timely manner but no later than every seven days, and to provide an appeal process to pharmacies that are subject to MAC. The appeal must be filed within three days, and the PBM

must also respond within seven business days. If the appeal is upheld the MAC will be changed and allow the pharmacy to reverse and rebill; if the appeal process is denied the PBM will provide an NCD for a drug that can be purchased at or below the MAC. This does not apply to the Medicaid program.

New Mexico: HB 126

A PBM must provide the sources used to determine the MAC pricing for contracted pharmacies also they are required to update the MAC pricing sources every seven business days. Additionally PBMs are required to provide a procedure to appeal the reimbursement under MAC pricing within 15 days of the claim. If the appeal is accepted the reimbursement needs to be addressed within one business day, and if the appeal is denied the PBM must provide a reason.

Texas: SB 1106

Requires BPM to provide the sources used to determine the MAC pricing cost list, and update the cost list at least every seven days. Also provides a procedure to update the cost list to remain consistent with price changes in the marketplace. The PBM must also provide a reasonable appeal process to challenge the reimbursement of a medication, they must also respond to the appeal within 15 days. If the appeal is successful the MAC pricing will be adjusted along with to other pharmacies within similar situations. The PBM must also give a report to the commissioner of how many appeals, denied and accept were made within a 90-day period.

Louisiana: Act No. 391

Requires PBMs to provide a list to pharmacy of its MAC pricing list, along with updating the list at least every seven calendar days with information regarding how MAC pricing is determined or in the value of a variable involved in the methodology. The law also allows pharmacies to appeal a reimbursement within seven business days of the claim, the PBM is required to respond within seven business days after receiving the appeal. If the appeal is agreed the PBM will change the MAC and allow the pharmacy to resubmit the claim. If the appeal is denied then the PBM will provide the pharmacy an NDC of a drug which can be purchased at less or equal the MAC.