

FORTY-FIFTH LEGISLATURE
SECOND SESSION

February 5, 2002

SENATE FLOOR AMENDMENT number ___1___ to SENATE BILL 91, as amended

Amendment sponsored by Senator Dede Feldman

1. On page 3, strike lines 6 through 24 and insert in lieu thereof the following:

"E. The authority shall enroll and provide participants with membership cards and require the cards to be presented to pharmacies for each transaction.

F. The authority shall actively promote membership and benefit information on the senior prescription drug program to seniors and the general public throughout the state."

Section 3. A new section of the Retiree Health Care Act is enacted to read:

"[NEW MATERIAL] FUND CREATED. --The "senior prescription drug program fund" is created in the state treasury. All fees collected pursuant to Subsection C of Section 2 of this act and all rebates received from drug manufacturers shall be deposited in the fund and shall be used for the purposes of the senior prescription drug program. Money appropriated to the fund or accruing to it through rebates, gifts, grants, fees or bequests shall be deposited in the fund. Earnings from investment of the fund shall be credited to the fund. Money in the fund is appropriated to the authority for the purpose of administering the senior prescription drug program. Money in the fund shall not revert at the end of any fiscal year. Disbursements from the fund shall be made upon warrants drawn by the secretary of finance and administration pursuant to vouchers signed by the director of the authority or his authorized representative. The authority shall annually adjust the enrollment fee to permit necessary

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administration of the program but shall not exceed the amount established in Subsection C of Section 2 of this act. "

Section 4. A new section of the Retiree Health Care Act is enacted to read:

"[NEW MATERIAL] AUDIT--FEE RECOMMENDATION.--Annually the legislative finance committee shall conduct a fiscal audit of the senior prescription drug program fund and the administration of the program, including rebates negotiated for the prescription drugs purchased by participants, and shall recommend if and how much of an annual fee is necessary for participants in the program. "

Section 5. [NEW MATERIAL] PHARMACY FREEDOM OF CHOICE.--A contract, agreement or arrangement between a pharmacy and a wholesaler, distributor or pharmacy benefit manager for the provision of prescription drugs for resale shall not include a provision requiring the pharmacy to enter into any other contract, agreement or arrangement with the contracting wholesaler, distributor or pharmacy benefit manager to purchase prescription drugs on different terms. "

Dede Feldman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____