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HOUSE BILL 122

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

Carl Trujillo

AN ACT

RELATING TO PHARMACEUTICALS; ENACTING A SECTION OF THE PHARMACY
BENEFITS MANAGER REGULATION ACT TO BAN CERTAIN FEES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 59A-61-1 NMSA 1978 (being Laws 2014,
Chapter 14, Section 1) is amended to read:

"59A-61-1. SHORT TITLE.--~~[Sections 1 through 6 of this
act]~~ Chapter 59A, Article 61 NMSA 1978 may be cited as the
"Pharmacy Benefits Manager Regulation Act"."

SECTION 2. A new section of the Pharmacy Benefits Manager
Regulation Act is enacted to read:

"[NEW MATERIAL] PHARMACY BENEFITS MANAGERS--PROHIBITED
PHARMACY FEES.--Either at the time of claim adjudication or at
any time before or thereafter, a pharmacy benefits manager
shall not charge or hold a pharmacist or pharmacy responsible

.205788.1

underscored material = new
~~[bracketed material] = delete~~

underscoring material = new
~~[bracketed material] = delete~~

1 for a fee for any step or component of, or mechanism related
2 to, the adjudication of a claim, including:

3 A. the adjudication of a pharmacy benefit claim;

4 B. the processing or transmission of a pharmacy
5 benefit claim;

6 C. the development or management of a claim
7 processing or adjudication network; or

8 D. participation in a claim processing or claim
9 adjudication network."

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