

1 SENATE CORPORATIONS AND TRANSPORTATION COMMITTEE SUBSTITUTE FOR
2 SENATE BILL 77

3 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

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10 AN ACT

11 RELATING TO PHARMACEUTICALS; AMENDING AND ENACTING SECTIONS OF
12 THE PHARMACY BENEFITS MANAGER REGULATION ACT TO BAN CERTAIN
13 FEES.

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

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

18 "59A-61-1. SHORT TITLE.--~~[Sections 1 through 6 of this~~
19 ~~act]~~ Chapter 59A, Article 61 NMSA 1978 may be cited as the
20 "Pharmacy Benefits Manager Regulation Act"."

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

23 "[NEW MATERIAL] PHARMACY BENEFITS MANAGERS--PROHIBITED
24 PHARMACY FEES.--Either at the time of claim adjudication or at
25 any time before or thereafter, a pharmacy benefits manager

.206553.1

underscored material = new
[bracketed material] = delete

1 shall not charge or hold a pharmacist or pharmacy responsible
2 for a fee for any step or component of, or mechanism related
3 to, the adjudication of a claim, including:

- 4 A. the adjudication of a pharmacy claim;
- 5 B. the receipt and processing of a pharmacy 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."