

State of New Mexico
Senate

FIFTY-FIFTH LEGISLATURE
FIRST SESSION

March 18, 2021

SENATE FLOOR AMENDMENT number _____ to HOUSE BILL 129, as amended
Amendment sponsored by Senator Mark Moores

1. On page 1, line 11, after the semicolon, insert "REQUIRING PRESCRIPTION DRUG PRICE REDUCTIONS TO BE PROVIDED TO ALL CUSTOMERS FOR THE ENTIRETY OF THE PLAN OR CALENDAR YEAR;".

2. On page 1, between lines 16 and 17, insert the following new section:

"SECTION 1. [NEW MATERIAL] PRESCRIPTION DRUG PRICE REDUCTIONS.--

A. A manufacturer that offers a reduction in the price, including any discounts, rebates or coupons, for a prescription drug product shall make the reduction in price available to all customers for the entirety of the plan year or the calendar year, whichever is longer.

B. For the purposes of this section:

(1) "manufacturer" means an entity that:

(a) engages in the manufacture of a prescription drug product;

(b) enters into a lease with another manufacturer to market and distribute a prescription drug product under the entity's own name; or

(c) sets or changes the wholesale acquisition cost of the prescription drug product it manufactures or markets; and

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(2) "prescription drug product" means a brand name drug, generic drug, biologic or biosimilar."

3. Renumber the succeeding sections accordingly.

Mark Moores

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____