

Subject PBM Gag Clause

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## Overview

Under current law, PBMs and health carriers are prohibited from restricting a pharmacy or pharmacist from sharing or discussing certain information with a patient. This bill expands the scope of these requirements to also apply to information on the pharmacy's acquisition cost for a drug and the amount the pharmacy is being paid by the PBM or health carrier for the drug. The bill also prohibits PBM restrictions on a pharmacy or pharmacist discussing this information with health carriers.

## Summary

Section	Description
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1	<b>Gag clause prohibition.</b>
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Amends § 62W.11. Provides that a PBM or health carrier must not prohibit a pharmacist or pharmacy from discussing with patients the pharmacy's acquisition cost for a prescription drug and the amount the pharmacy is being reimbursed by the PBM or health carrier for the drug.

Also provides that a PBM must not prohibit a pharmacist or pharmacy from discussing with the health carrier the amount the pharmacy is being paid or reimbursed for a prescription drug by the PBM or the pharmacy's acquisition cost for a drug.