

Moved by Cook

Seconded by Lee

IN THE SENATE  
SENATE AMENDMENT TO H.B. NO. 596

AMENDMENT TO SECTION 1

1  
2 On page 6 of the printed bill, in line 18, delete "sixty (60)" and insert:  
3 "ninety (90)"; in line 21, delete "sixty (60) days. The sixty (60)" and in-  
4 sert: "ninety (90) days. The ninety (90)"; in line 28, delete "or"; in line  
5 30, following ";" insert: "or"; following line 30, insert:

6 "(iv) Has a generic, biosimilar, or interchangeable biologic ap-  
7 proved by the United States food and drug administration;";  
8 delete lines 31 through 33, and insert:

9 "(i) Require that in-network pharmacies receive dispensing fees  
10 that reasonably cover the costs of dispensing medications; and";  
11 following line 42, insert:

12 "(12) The requirements of subsection (11) of this section shall not ap-  
13 ply to specialty drugs. For the purposes of this section, "specialty drug"  
14 means:

15 (a) A drug that is subject to restricted distribution by the United  
16 States food and drug administration; or

17 (b) A drug that requires special handling, provider coordination, or  
18 patient education that a retail pharmacy cannot provide."; and  
19 in line 43, delete "(12)" and insert: "(13)".

20 On page 7, in line 35, delete "(13)" and insert: "(14)".

21 On page 8, in line 35, following "fraud" insert: ", waste, or abuse";  
22 in line 38, delete "due" and insert: "solely due"; and following line 46,  
23 insert:

24 "(15) In complying with the requirements of this section, a pharmacy  
25 benefit manager or its agents, and the director or the director's agents,  
26 shall not directly or indirectly publish or otherwise disclose any infor-  
27 mation reported to the director under this section that would reveal: the  
28 identity of a specific pharmacy benefits plan, program, or pharmaceutical  
29 manufacturer; the prices charged for a specific drug or class of drugs; the  
30 amount of any rebates provided for a specific drug or class of drugs or the  
31 pharmaceutical manufacturer; or information that would otherwise have the  
32 potential to compromise the financial, competitive, or proprietary nature  
33 of such information. Any such information shall be protected from disclo-  
34 sure as confidential and proprietary and shall not be regarded as a public  
35 record pursuant to section 74-101, Idaho Code. A pharmacy benefit manager  
36 shall impose the confidentiality protections and requirements of this sec-  
37 tion on any agent or downstream third party that performs health care or ad-  
38 ministrative services on behalf of the pharmacy benefit manager that may re-  
39 ceive or have access to such information, and the director shall impose the  
40 confidentiality protections and requirements of this section on any agent

1 or downstream third party directly or indirectly involved in the administra-  
2 tion of this section that may receive or have access to such information.".

3 AMENDMENT TO THE BILL

4 On page 8, delete lines 47 through 49, and insert:

5 "Section 2. This act shall be in full force and effect on and after Jan-  
6 uary 1, 2025."

7 CORRECTION TO TITLE

8 On page 1, in line 10, delete "AND DECLARING AN EMERGENCY".