

RULE IMPACT STATEMENT

1. RULE

Proposed EMERGENCY rules:

Subchapter 29.	Pharmacy Benefits Managers
365:25-29-1.	Purpose [AMENDED]
365: 25-29-2.	Scope [AMENDED]
365:25-29-3.	Authority [AMENDED]
365:25-29-4.	Definitions [AMENDED]
365:25-29-5.	Forms and contents of application for PBM license [AMENDED]
365:25-29-6.	Surety bond [AMENDED]
365:25-29-7.1	Retail pharmacy network access [NEW]
365:25-29-9	Contractual requirements – maximum allowable costs
[AMENDED]	
365:25-29-10	Penalty for noncompliance [AMENDED]
365:25-29-12	Commissioner's authority – advisory committee [NEW]
365:25-29-13	Claims payment [NEW]
365:25-29-14	Inquiry/complaint handling process [NEW]
365:25-29-15	Examinations of PBMs and health insurers [NEW]

2. PURPOSE

Subchapter 29 is amended due to the passage of HB 2632 to be codified as 36 O.S. §§ 6858-6868.

3. CLASSES AFFECTED:

- A. Licensed Pharmacy benefit managers
- B. Health Insurers
- C. Oklahoma Insurance Commissioner
- D. Pharmacies and Pharmacists
- E. Public

4. COST IMPACTS ON PRIVATE OR PUBLIC ENTITIES:

Unknown

5. CLASSES BENEFITTED:

- A. Pharmacies and Pharmacists

6. ECONOMIC IMPACT:

A negative impact of up to \$5,000,000.00 for fiscal year 2020

7. PROBABLE COST TO AGENCY AND EFFECT ON STATE REVENUES:

Unknown

8. SOURCE OF REVENUE:

Normal yearly budgeted funds

9. MEASURES TAKEN TO MINIMIZE COMPLIANCE COSTS:

Request for regulations due to implementation of 36 O.S. § 6858-6868 by HB 2632

10. EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT:

Unknown

11. LESS COSTLY/LESS INTRUSIVE METHODS:

Unknown

12. EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF RULE NOT IMPLEMENTED:

Unknown

13. EFFECT ON SMALL BUSINESS

Implementation of the proposed rule will not have an adverse effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act.

14. DATE PREPARED:

September 10, 2019