

SENATE BILL No. 656

October 29, 2013, Introduced by Senators CASWELL and COLBECK and referred to the Committee on Reforms, Restructuring and Reinventing.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
(MCL 400.1 to 400.119b) by adding section 109/.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 109/. THE DEPARTMENT OF COMMUNITY HEALTH AND CONTRACTED
2 HEALTH PLANS SHALL UTILIZE MAXIMUM ALLOWABLE COST PRICING FOR
3 GENERIC DRUGS THAT IS BASED ON WHOLESALER PRICING TO PROVIDERS AND
4 PHARMACISTS THAT IS AVAILABLE FROM AND PROVIDED TO WHOLESALERS WHO
5 DELIVER IN THIS STATE. A PROCESS FOR MAXIMUM ALLOWABLE COST PRICING
6 RECONSIDERATIONS MUST BE AVAILABLE AND PROVIDED TO PROVIDERS AND
7 PHARMACISTS. THIS PROCESS MUST INCLUDE IDENTIFICATION OF UP TO 3
8 NATIONAL DRUG CODES FOR THE DRUG IN QUESTION THAT ARE ACTUALLY

1 AVAILABLE AND DELIVERABLE BY A MICHIGAN LICENSED WHOLESALER OR A
2 MICHIGAN LICENSED MANUFACTURER AND WOULD FALL INTO THE DEPARTMENT
3 OF COMMUNITY HEALTH OR DRUG PLANS MAXIMUM ALLOWABLE COST PRICING.
4 THE PROCESS MUST BE COMPLETED IN 7 DAYS. IF THE PROCESS IS NOT
5 COMPLETED IN 7 DAYS, THE CONTRACTED HEALTH PLAN OR THE PHARMACY
6 BENEFIT MANAGER SHALL PAY 3 TIMES THE COST OF THE DRUG TO THE
7 PHARMACIST.