
SENATE FLOOR AMENDMENTS

2018 Second Extraordinary Session

Amendments proposed by Senator Milkovich to Reengrossed House Bill No. 1 by Representative Henry

1 AMENDMENT NO. 1

2 On page 84, at the end of line 43, insert the following:

3 "Any negotiations by the department or a contractor on behalf of the department for
4 supplemental rebates shall make reasonable efforts to negotiate supplemental drug rebates
5 in an amount that would result in aggregate net ingredient costs equal to or lower than those
6 offered to the United States Department of Veterans Affairs, the United States Department
7 of Defense, the 340B Drug Pricing Program, or any other payer. Upon implementation of
8 any laws or rules by the department that restores the department's direct receipt of any
9 supplemental drug rebates that are presently being retained by a managed care organization
10 or its pharmacy benefit manager, the department shall not replace or supplant to the managed
11 care organization, or consider in rate setting, any amount of supplemental drug rebates
12 returned to the state if the profits of the managed care organization or the parent company
13 of the managed care organization exceeded fifty million dollars for the most recent fiscal
14 year reporting period as identified by the department or a contractor on behalf of the
15 department determining actuarial soundness for establishment of per member per month rate
16 setting."