

## SENATE AMENDMENTS TO HOUSE BILL 4030

By COMMITTEE ON HEALTH CARE

February 28

- 1 On page 1 of the printed bill, line 2, after “managers;” insert “creating new provisions;”.
- 2 On page 4, after line 5, insert:
- 3 **“SECTION 4. Section 5 of this 2020 Act is added to and made a part of ORS 735.540 to**  
4 **735.552.**
- 5 **“SECTION 5. (1) A pharmacy benefit manager registered under ORS 735.532 may not**  
6 **retroactively deny or reduce a claim for reimbursement of the cost of services after the**  
7 **claim has been adjudicated by the pharmacy benefit manager unless the:**
- 8 **“(a) Adjudicated claim was submitted fraudulently;**
- 9 **“(b) Pharmacy benefit manager’s payment on the adjudicated claim was incorrect be-**  
10 **cause the pharmacy or pharmacist had already been paid for the services;**
- 11 **“(c) Services were improperly rendered by the pharmacy or pharmacist; or**
- 12 **“(d) Pharmacy or pharmacist agrees to the denial or reduction prior to the pharmacy**  
13 **benefit manager notifying the pharmacy or pharmacist that the claim has been denied or**  
14 **reduced.**
- 15 **“(2) Subsection (1) of this section may not be construed to limit pharmacy claim audits**  
16 **under ORS 735.540 to 735.552.**
- 17 **“SECTION 6. Section 5 of this 2020 Act becomes operative on January 1, 2021.**
- 18 **“SECTION 7. Section 5 of this 2020 Act is repealed on July 1, 2021.”.**
- 19 In line 6, delete “4” and insert “8”.
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