

The Senate Health and Human Services Committee offered the following substitute to HB 585:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 6 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated,  
2 relating to pharmacies, so as to provide for the licensing and inspection of pharmacy benefit  
3 managers; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

5 Article 6 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to  
6 pharmacies, is amended by adding following Code Section 26-4-110 a new Code section to  
7 read as follows:  
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9 "26-4-110.1.

10 (a) As used in this Code section, the term:

11 (1) 'Enrollee' means a person eligible to receive health care benefits under a health  
12 benefit plan.

13 (2) 'Health benefit plan' means any hospital or medical insurance policy or certificate,  
14 health care plan contract or certificate, qualified higher deductible health plan, health  
15 maintenance organization subscriber contract, or any managed care plan.

16 (3) 'Insurer' means a corporation or other entity which is licensed or otherwise authorized  
17 to offer a health benefit plan in this state.

18 (4) 'Pharmacy benefits manager' means any person, corporation, or other entity that  
19 administers the prescription drug, prescription device, or both prescription drug and  
20 device portion of a health benefit plan on behalf of an insurer.

21 (b) Every pharmacy benefit manager which performs any act which constitutes the practice  
22 of pharmacy as defined in Code Section 26-4-4 shall be licensed to practice as a pharmacy  
23 in this state and shall comply with those provisions of 26-4-110, except subsections (h), (i),  
24 and (j) thereof. As a condition for licensing, every pharmacy benefit manager shall permit  
25 the board or agents or employees thereof to inspect the premises of such pharmacy benefit  
26 manager whether those premises are located within or outside this state."

**SECTION 2.**

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- 2 All laws and parts of laws in conflict with this Act are repealed.