

The House Committee on Health and Ecology offers 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:

5 **SECTION 1.**

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

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 and in so doing performs
21 any act which constitutes the practice of pharmacy.

22 (b) Every pharmacy benefit manager shall be licensed to practice as a pharmacy in this
23 state and shall comply with those provisions of 26-4-110, except subsections (h), (i), and (j)
24 thereof. As a condition for licensing, every pharmacy benefit manager shall permit the
25 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2 All laws and parts of laws in conflict with this Act are repealed.