

The House Committee on Health offers the following substitute to HB 810:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 64 of Title 33 of the Official Code of Georgia Annotated, relating to  
2 regulation and licensure of pharmacy benefits managers, so as to require that final  
3 reimbursements to pharmacies for prescription drugs are based on certain formulas; to  
4 provide for applicability; to provide for related matters; to provide for an effective date and  
5 applicability; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 64 of Title 33 of the Official Code of Georgia Annotated, relating to regulation and  
9 licensure of pharmacy benefits managers, is amended by adding a new Code section to read  
10 as follows:

11 "33-64-9.2.

12 (a) A pharmacy benefits manager shall ensure that the final reimbursement, after taking  
13 into account any and all fees, charges, adjustments, or other reductions, including, but not  
14 limited to, direct or indirect remuneration fees, administrative fees, performance based fees,  
15 network access fees, or any other fees or adjustments, or other similar constructs, to a  
16 pharmacy for a prescription drug is in an amount equal to the national average drug

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17 acquisition cost for the prescription drug at the time that such drug was dispensed, plus a  
18 professional dispensing fee in an amount equal to the current Georgia Medicaid  
19 professional dispensing fee as determined by the Department of Community Health. If the  
20 national average drug acquisition cost at the time such drug was dispensed is not available,  
21 a pharmacy benefits manager shall reimburse a pharmacy in an amount equal to the  
22 wholesale acquisition cost of the drug, as defined in 42 U.S.C. Section 1395w-3a(c)(6)(B),  
23 on January 1, 2026, plus a professional dispensing fee in an amount equal to the current  
24 Georgia Medicaid professional dispensing fee as determined by the Department of  
25 Community Health. A pharmacy benefits manager shall exclude any reimbursement made  
26 pursuant to this subsection from any effective rate guarantees. As used in this subsection,  
27 the term 'effective rate guarantees' means a contractual provision whereby a pharmacy  
28 benefits manager may adjust reimbursement rates to pharmacies for prescription drugs  
29 dispensed by the pharmacy during a certain period of time, ensuring that the pharmacy's  
30 overall reimbursement averages out to be a predetermined rate.  
31 (b) This Code section shall not apply to a state health plan, as such term is defined in Code  
32 Section 45-18-22. This Code section shall also not apply to Medicaid under Chapter 4 of  
33 Title 49, including Medicaid managed care programs administered through care  
34 management organizations."

35 **SECTION 2.**

36 This Act shall become effective July 1, 2026, and shall apply to all applicable policies,  
37 contracts, and certificates executed, delivered, issued for delivery, or renewed in this state  
38 on or after October 1, 2026.

39 **SECTION 3.**

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