

The House Committee on Health offers the following substitute to HR 948:

### A RESOLUTION

1 Creating the House Study Committee on Pharmacy Benefits Managers and Consumer Access  
2 to Prescription Medications; and for other purposes.

3 WHEREAS, according to the United States Office of Health Policy, the cost of prescription  
4 drugs has increased at rates exceeding the rate of inflation each year since 2016; and

5 WHEREAS, pharmacy benefits managers administer prescription drug insurance benefits,  
6 negotiate with drug manufacturers and pharmacies, and establish drug formularies and  
7 pharmacy networks; and

8 WHEREAS, pharmacy benefits managers undertake practices that have been criticized and  
9 investigated by industry stakeholders, including health policy experts, state attorneys general,  
10 and the Federal Trade Commission; and

11 WHEREAS, such policies include leveraging vertical integration to steer patients to  
12 pharmacy benefits manager affiliate pharmacies, marking up the cost of medications at  
13 pharmacy benefits manager owned pharmacies, manipulating pharmacy reimbursement rates,  
14 and engaging in other unfair practices that harm patients, retail pharmacies, payers, and  
15 employers; and

H. R. 948 (SUB)

16 WHEREAS, in 2019, Georgia passed the first pharmacy benefits manager steering laws in  
17 the nation but many believe that pharmacy benefits managers continue to steer patients to  
18 pharmacy benefits manager affiliate pharmacies within this state; and

19 WHEREAS, Georgia law requires that pharmacy benefits managers publicly report drug  
20 prices that are greater than 10 percent over the national average drug acquisition costs and  
21 such reports have revealed markups for some medications for commercial and government  
22 payers and markups of thousands of percent above the national average drug acquisition  
23 costs for medications used to treat multiple sclerosis, cancer, and kidney disease, among  
24 other medications; and

25 WHEREAS, a recent study by the Georgia Center for Rural Prosperity and Innovation at  
26 Abraham Baldwin Agricultural College indicates that pharmacy benefits manager practices  
27 pose risks to patients and independent pharmacies, including increasing the number of  
28 counties in Georgia without a single pharmacy.

29 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

30 (1) **Creation of House study committee.** There is created the House Study Committee  
31 on Pharmacy Benefits Managers and Consumer Access to Prescription Medications.

32 (2) **Members and officers.** The committee shall be composed of the following  
33 members:

34 (A) The chairperson of the House Committee on Appropriations;

35 (B) The chairperson of the House Committee on Health;

36 (C) Three other members of the House of Representatives or experts on pharmacy  
37 benefits managers or consumer access to prescription medication to be appointed by the  
38 Speaker of the House of Representatives; and

39 (D) The Speaker of the House of Representatives shall designate a member of the  
40 committee as chairperson of the committee.

41 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,  
42 issues, and problems mentioned above or related thereto and recommend any action or  
43 legislation which the committee deems necessary or appropriate.

44 (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee  
45 may conduct such meetings at such places and at such times as it may deem necessary or  
46 convenient to enable it to exercise fully and effectively its powers, perform its duties, and  
47 accomplish the objectives and purposes of this resolution.

48 (5) **Allowances, expenses, and funding.**

49 (A) The legislative members of the committee shall receive the allowances provided  
50 for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

51 (B) Members of the committee who are state officials, other than legislative members,  
52 or state employees shall receive no compensation for their services on the committee,  
53 but they may be reimbursed for expenses incurred by them in the performance of their  
54 duties as members of the committee in the same manner as they are reimbursed for  
55 expenses in their capacities as state officials or employees.

56 (C) Members of the committee who are not legislators, state officials, or state  
57 employees shall receive a daily expense allowance in an amount the same as that  
58 specified in subsection (b) of Code Section 45-7-21 of the Official Code of Georgia  
59 Annotated, as well as the mileage or transportation allowance authorized for state  
60 employees.

61 (D) The allowances authorized by this resolution shall not be received by any member  
62 of the committee for more than five days unless additional days are authorized. Funds  
63 necessary to carry out the provisions of this resolution shall come from funds  
64 appropriated to the House of Representatives; except that funds for the reimbursement  
65 of the expenses of state officials, other than legislative members, and for the

66 reimbursement of the expenses of state employees shall come from funds appropriated  
67 to or otherwise available to their respective agencies.

68 **(6) Report.**

69 (A) In the event the committee adopts any specific findings or recommendations that  
70 include suggestions for proposed legislation, the chairperson shall file a report of the  
71 same prior to the date of abolishment specified in this resolution, subject to  
72 subparagraph (C) of this paragraph.

73 (B) In the event the committee adopts a report that does not include suggestions for  
74 proposed legislation, the chairperson shall file the report, subject to subparagraph (C)  
75 of this paragraph.

76 (C) No report shall be filed unless the same has been approved prior to the date of  
77 abolishment specified in this resolution by majority vote of a quorum of the committee.  
78 A report so approved shall be signed by the chairperson of the committee and filed with  
79 the Clerk of the House of Representatives.

80 (D) In the absence of an approved report, the chairperson may file with the Clerk of the  
81 House of Representatives a copy of the minutes of the meetings of the committee in lieu  
82 thereof.

83 **(7) Abolishment.** The committee shall stand abolished on December 1, 2026.