

E AND R AMENDMENTS TO LB 204

Introduced by Ballard, 21, Chairman Enrollment and Review

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:

3 Section 1. Section 68-901, Revised Statutes Supplement, 2023, is
4 amended to read:

5 68-901 Sections 68-901 to 68-9,104 and section 2 of this act shall
6 be known and may be cited as the Medical Assistance Act.

7 Sec. 2. (1)(a) Beginning with fiscal year 2024-25, contingent upon
8 implementation of the contractual agreements with medicaid managed care
9 organizations as described in subsection (2) of this section, the
10 department shall establish a fee-for-service pharmacy dispensing fee
11 reimbursement of ten dollars and thirty-eight cents per prescription for
12 any independent pharmacy until a cost-of-dispensing survey is completed.
13 The actual dispensing fee shall be determined by a cost-of-dispensing
14 survey administered by the department and completed by all medical
15 assistance program participating independent pharmacies every two years.
16 The change in the dispensing fee shall become effective following federal
17 approval of the medicaid state plan.

18 (b) For purposes of this section, independent pharmacy means any
19 pharmacy as defined in section 71-425 that owns six or fewer pharmacies.

20 (2) The department shall amend all medicaid managed care
21 organization contracts to authorize establishment of a managed care
22 pharmacy dispensing fee reimbursement in accordance with the established
23 fee-for-service pharmacy dispensing fee reimbursement per prescription
24 for independent pharmacies pursuant to subsection (1) of this section.

25 (3) Any dispensing fee cost information submitted to the department
26 as part of the cost-of-dispensing survey described in subsection (1) of
27 this section that specifically identifies individual costs of a pharmacy

1 or provider shall remain confidential.

2 (4) No later than December 15, 2024, the department shall
3 electronically submit a report to the Clerk of the Legislature providing
4 recommendations for adjusting pharmacy dispensing fees between completion
5 of surveys to ensure fair and adequate reimbursement for independent
6 pharmacies.

7 Sec. 3. Original section 68-901, Revised Statutes Supplement, 2023,
8 is repealed.

9 2. On page 1, line 2, strike "Cumulative Supplement, 2022" and
10 insert "Supplement, 2023".