

ONE HUNDRED NINTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 124

Introduced by Jacobson, 42.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the role of a pharmacy benefit manager (PBM) within the Nebraska health insurance industry and the impact on prescription drug prices, evaluate the transparency and accountability of the practices of a PBM, and identify potential legislative or regulatory solutions to address concerns related to PBM practices. Prescription prices continue to rise, placing a significant financial burden on Nebraska residents and businesses. A pharmacy benefit manager plays a substantial role in the administration of prescription drug benefits within health insurance plans. Concerns have been raised regarding the transparency and accountability of the practices of a PBM, including their impact on drug prices and patient access. Understanding the role and influence of a PBM is crucial to developing policies that promote affordability and accessibility of prescription medications for Nebraskans.

The interim study shall include, but not be limited to, the following:

- (1) The contractual relationship between a PBM, a health insurance plan, and a pharmacy;
- (2) The reimbursement models used by a PBM, including spread pricing and rebates;
- (3) The formulary management practices of a PBM, including drug utilization review and prior authorization requirements;
- (4) The impact of the practices of a PBM on patient access to affordable prescription medications;
- (5) The degree of transparency in the operations of a PBM; and
- (6) The effects of such practices on independent pharmacies.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED NINTH

LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.