

## Session 123 - (2019-2020)

**S\*0359 (Rat #0068, Act #0048 of 2019) General Bill, By Gambrell, Johnson, Senn, Grooms, Cromer and Scott**

**Summary:** Pharmacy benefits managers

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 71, TITLE 38 SO AS TO ESTABLISH A LICENSE REQUIREMENT FOR PHARMACY BENEFITS MANAGERS, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM RESTRICTING OR PENALIZING A PHARMACY FROM PERFORMING CERTAIN ACTIONS OR DISCLOSING CERTAIN INFORMATION, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM UNDERTAKING CERTAIN ACTIONS, TO SET CERTAIN REQUIREMENTS FOR A MAXIMUM ALLOWABLE COST LIST, AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ENFORCE THE PROVISIONS OF THIS ARTICLE; TO AMEND SECTION 38-2-10, AS AMENDED, RELATING TO ADMINISTRATIVE PENALTIES, SO AS TO APPLY CERTAIN ADMINISTRATIVE PENALTIES TO PHARMACY BENEFITS MANAGERS; TO AMEND SECTION 38-71-1810, RELATING TO PHARMACY AUDIT RIGHTS, SO AS TO ALLOW A PHARMACY TO SUBMIT RECORDS IN AN ELECTRONIC FORMAT OR BY CERTIFIED MAIL AND TO PROHIBIT CERTAIN ERRORS FROM SERVING AS THE SOLE BASIS OF THE REJECTION OF A CLAIM; AND TO REPEAL ARTICLE 20 OF CHAPTER 71, TITLE 38 RELATING TO PHARMACY BENEFIT MANAGERS. - ratified title

**01/10/19 Senate Introduced and read first time (Senate Journal-page 4)**  
**01/10/19 Senate Referred to Committee on Banking and Insurance (Senate Journal-page 4)**  
**02/27/19 Senate Committee report: Favorable with amendment Banking and Insurance (Senate Journal-page 21)**  
**02/28/19 Scrivener's error corrected**  
**03/05/19 Senate Committee Amendment Adopted (Senate Journal-page 27)**  
**03/05/19 Senate Read second time (Senate Journal-page 27)**  
**03/05/19 Senate Roll call Ayes-41 Nays-0 (Senate Journal-page 27)**  
**03/06/19 Scrivener's error corrected**  
**03/07/19 Senate Amended (Senate Journal-page 15)**  
**03/07/19 Senate Read third time and sent to House (Senate Journal-page 15)**  
**03/07/19 Senate Roll call Ayes-38 Nays-0 (Senate Journal-page 15)**  
**03/13/19 House Introduced and read first time (House Journal-page 29)**  
**03/13/19 House Referred to Committee on Labor, Commerce and Industry (House Journal-page 29)**  
**05/02/19 House Committee report: Favorable with amendment Labor, Commerce and Industry (House Journal-page 75)**  
**05/03/19 Scrivener's error corrected**  
**05/08/19 House Amended (House Journal-page 131)**  
**05/08/19 House Read second time (House Journal-page 131)**  
**05/08/19 House Roll call Yeas-101 Nays-0 (House Journal-page 138)**  
**05/09/19 Scrivener's error corrected**  
**05/09/19 House Amended (House Journal-page 133)**  
**05/09/19 House Read third time and returned to Senate with amendments (House Journal-page 133)**  
**05/09/19 House Roll call Yeas-99 Nays-0 (House Journal-page 144)**  
**05/09/19 Senate Concurred in House amendment and enrolled (Senate Journal-page 109)**  
**05/13/19 Ratified R 68**  
**05/16/19 Signed By Governor**  
**05/31/19 Effective date See Act for Effective Date**  
**06/05/19 Act No. 48**