



General Assembly

January Session, 2025

Proposed Bill No. 821

LCO No. 2507



Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:
SEN. MARTIN, 31st Dist.

**AN ACT CONCERNING PHARMACY BENEFITS MANAGER REFORM
AND PRICE GOUGING IN THE HEALTH CARE SECTOR.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

- 1 That title 38a of the general statutes be amended to: (1) Prohibit any
- 2 pharmacy benefits manager from imposing post-transaction fees or
- 3 implementing reimbursement clawbacks on pharmacies; (2) require that
- 4 any rebate, discount or financial incentive provided by any drug
- 5 manufacturer to any pharmacy benefits manager be passed directly to
- 6 the covered person at the point of sale; (3) decouple any pharmacy
- 7 benefits manager compensation from the cost of medications; (4)
- 8 prohibit any pharmacy benefits manager from charging fees for
- 9 formulary placement or tier-level access; (5) require that any group
- 10 purchasing organization that contracts with any pharmacy benefits
- 11 manager in this state be incorporated in the United States and that such
- 12 group purchasing organization disclose all fees and administrative costs
- 13 associated with such contracts; (6) prohibit any pharmacy benefits
- 14 manager from prioritizing more expensive medications over less
- 15 expensive and clinically appropriate medications; (7) prohibit any

16 pharmacy benefits manager from preventing pharmacists from
17 informing patients about lower-priced prescription drugs; (8) require
18 that cash payments for prescription drugs be applied toward any
19 coinsurance, copayment, deductible or other out-of-pocket expense; (9)
20 require that the Attorney General oversee pharmacy benefits manager
21 operations in this state to ensure compliance with rebate transparency
22 and clawback prohibitions and to establish a duty of care owed by
23 pharmacy benefits managers; and (10) allow the Attorney General to
24 investigate, intervene in or bring a civil or administrative action in the
25 name of the state, seeking injunctive or declaratory relief, damages and
26 any other relief that may be available under law, whenever any person
27 in the insurance, pharmaceutical, pharmacy benefits management or
28 utility sector is or has engaged in a practice or pattern of conduct that
29 constitutes price gouging.

Statement of Purpose:

To reform pharmacy benefits manager practices in this state, establish a duty of care for pharmacy benefits managers and regulate health care price gouging in this state.