

THE SOCIAL WELFARE ACT (EXCERPT)
Act 280 of 1939

400.105j Pharmacy benefit manager; reimbursement; reporting requirements; confidentiality.

Sec. 105j. (1) By January 15, 2024 and by January 15 for each year after 2024, each pharmacy benefit manager that receives reimbursement, either directly or through a Medicaid contracted health plan, for medical services must submit all of the following information to the department for the previous fiscal year:

- (a) The total number of prescriptions that were dispensed.
- (b) The aggregate wholesale acquisition cost for each drug on its formulary.
- (c) The aggregate amount of rebates, discounts, and price concessions that the pharmacy benefit manager received for each drug on its formulary. The amount of rebates shall include any utilization discounts the pharmacy benefit manager receives from a manufacturer.
- (d) The aggregate amount of administrative fees that the pharmacy benefit manager received from all pharmaceutical manufacturers.
- (e) The aggregate amount identified in subdivisions (b) and (c) that was retained by the pharmacy benefit manager and did not pass through to the department or to the Medicaid contracted health plan.
- (f) The aggregate amount of reimbursements the pharmacy benefit manager pays to contracting pharmacies.
- (g) Any other information considered necessary by the department.

(2) By March 1, 2024 and by March 1 of each year after 2024, the department shall submit the information provided under subsection (1) to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office.

(3) Any nonaggregated information submitted under this section is confidential and shall not be disclosed to any person by the department. Information received under this section is not a public record of the department.

History: Add. 2023, Act 279, Eff. Feb. 13, 2024.

Popular name: Act 280