



STATE OF ARIZONA  
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY  
GOVERNOR

EXECUTIVE OFFICE

April 5, 2018

The Honorable Michele Reagan  
Secretary of State  
1700 W. Washington, 7<sup>th</sup> Floor  
Phoenix, AZ 85007

Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2<sup>nd</sup> Regular Session, which I signed on April 5, 2018:

HB 2027 alternative fuel special plates; veterans (Friese)  
HB 2031 spousal maintenance; significant contribution; reduction (Lawrence)  
HB 2107 pharmacies; practices; pharmacy benefits managers (Syms)  
HB 2153 campaign finance; nonprofits; disclosure (Leach)  
HB 2248 incompetency; screening; sexually violent persons (Farnsworth, E.)  
HB 2259 juvenile court facilities; shelters; use (Carter)  
HB 2311 limited liability; employers; ex-offenders (Farnsworth, E.)  
HB 2456 stadium district; extension; Rio Nuevo (Finchem)  
HB 2503 building code exemptions; public notice (Barton)  
HB 2545 EORP; cost-of-living adjustment (Livingston)  
HB 2548 health professionals; continuing education; opioids (Carter)  
HB 2647 internal revenue code conformity (Mesnard)  
SB 1043 county recorder; recording fees (Kavanagh)  
SB 1071 adoption; subsidy; review; nonrecurring expenses (Brophy McGee)  
SB 1165 child care assistance; rates (Brophy McGee)  
SB 1179 memorial; buffalo soldiers (Miranda)  
SB 1203 vehicle towing (Worsley)  
SB 1235 Native American day; state holiday (Peshlakai)  
SB 1380 children; out-of-home placement (Petersen)  
SB 1381 service contracts (Petersen)  
SB 1396 group home beds; mentally ill (Barto)

SB 1397 behavioral health; dependent children; reports (Barto)  
SB 1473 kinship care; aggravated circumstances; dependency (Barto)

Sincerely,

A handwritten signature in black ink that reads "Douglas A. Ducey". The signature is written in a cursive, flowing style with a large initial 'D'.

Douglas A. Ducey  
Governor  
State of Arizona

cc: Senate Secretary  
Chief Clerk of the House of Representatives  
Arizona News Service

House Engrossed  
**FILED**

**MICHELE REAGAN**  
**SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Fifty-third Legislature  
Second Regular Session  
2018

**CHAPTER 133**  
**HOUSE BILL 2107**

AN ACT

AMENDING TITLE 44, CHAPTER 11, ARIZONA REVISED STATUTES, BY ADDING ARTICLE  
10.1; RELATING TO PHARMACY BENEFITS MANAGERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Title 44, chapter 11, Arizona Revised Statutes, is  
3 amended by adding article 10.1, to read:

4 ARTICLE 10.1. PHARMACY BENEFIT MANAGERS

5 44-1751. Definitions

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 1. "COST SHARE" MEANS AN ENROLLEE'S APPLICABLE COINSURANCE,  
8 COPAYMENT AND DEDUCTIBLE REQUIREMENT UNDER A HEALTH PLAN BASED ON THE  
9 ADJUDICATED CLAIM.

10 2. "PHARMACY BENEFITS MANAGER" HAS THE SAME MEANING PRESCRIBED IN  
11 SECTION 20-3321.

12 44-1752. Pharmacy benefits managers; prohibitions;  
13 applicability

14 A. A PHARMACY BENEFITS MANAGER MAY NOT DO ANY OF THE FOLLOWING:

15 1. PROHIBIT A PHARMACIST OR PHARMACY FROM PROVIDING AN INSURED  
16 INDIVIDUAL INFORMATION ON THE AMOUNT OF THE INSURED'S COST SHARE FOR THE  
17 INSURED'S PRESCRIPTION DRUG AND THE CLINICAL EFFICACY OF A MORE AFFORDABLE  
18 ALTERNATIVE DRUG IF ONE IS AVAILABLE. A PHARMACY BENEFITS MANAGER MAY NOT  
19 PENALIZE A PHARMACY OR PHARMACIST FOR DISCLOSING SUCH INFORMATION TO AN  
20 INSURED OR FOR SELLING TO AN INSURED A MORE AFFORDABLE ALTERNATIVE IF ONE  
21 IS AVAILABLE.

22 2. REQUIRE A PHARMACIST OR PHARMACY TO CHARGE OR COLLECT FROM AN  
23 INSURED A COPAYMENT THAT EXCEEDS THE TOTAL SUBMITTED CHARGES BY THE  
24 NETWORK PHARMACY.

25 B. TO THE EXTENT THAT ANY PROVISION OF THIS SECTION IS INCONSISTENT  
26 OR CONFLICTS WITH AN APPLICABLE FEDERAL LAW, RULE OR REGULATION, THE  
27 APPLICABLE FEDERAL LAW, RULE OR REGULATION APPLIES.

28 C. THIS SECTION APPLIES TO ALL CONTRACTS BETWEEN A PHARMACY  
29 BENEFITS MANAGER AND A PHARMACY OR A PHARMACY'S CONTRACTING REPRESENTATIVE  
30 OR AGENT THAT ARE ENTERED INTO OR RENEWED ON OR AFTER THE EFFECTIVE DATE  
31 OF THIS SECTION.

32 Sec. 2. Short title

33 This act may be cited as the "Prescription Drug Pricing Patient  
34 Protection Act".

**APPROVED BY THE GOVERNOR APRIL 5, 2018**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 5, 2018**

Passed the House February 21, 2018

Passed the Senate March 29, 2018

by the following vote: 60 Ayes,

by the following vote: 30 Ayes,

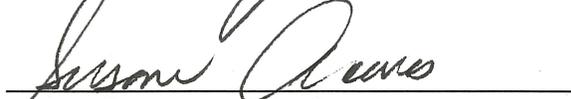
0 Nays, 0 Not Voting

0 Nays, 0 Not Voting

  
\_\_\_\_\_  
Speaker of the House  Pro Tempore

  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Chief Clerk of the House

  
\_\_\_\_\_  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

21<sup>st</sup> day of April, 2018

at 1:41 o'clock P. M.

  
\_\_\_\_\_  
Secretary to the Governor

Approved this 5<sup>th</sup> day of

April 2018

at 2:49 o'clock P. M.

  
\_\_\_\_\_  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 5 day of April, 2018

at 4:41 o'clock P. M.

  
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Secretary of State

H.B. 2107