

**SENATE BILL NO.**

Introduced by

Senator Mathern

1 A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota  
2 Century Code, relating to use of pharmacy benefits managers by the public employees  
3 retirement board.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 54-52.1 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Board to contract with pharmacy benefits manager.** To the extent allowed under  
8 federal law, subject to the board successfully negotiating this feature with its insurance carrier,  
9 and notwithstanding section 54-52.1-04, the board shall contract with one or more domestic or  
10 nondomestic pharmacy benefits managers to facilitate the purchase of eligible Canadian  
11 prescription drugs by eligible employees and persons receiving retiree health benefits. The  
12 program must be voluntary for eligible employees and persons receiving retiree health benefits.  
13 The board may forgive all or a part of any prescription copayments as an incentive for eligible  
14 employees and persons receiving retiree health benefits to participate in the program. To  
15 facilitate participation in the program, eligible employees and persons eligible to receive retiree  
16 health benefits may authorize the board to pay the pharmacy benefits manager for prescriptions  
17 obtained from eligible Canadian pharmacies. If the board is not able to negotiate the pharmacy  
18 benefits manager feature with its carrier, the board may "hold harmless" its carrier to the extent  
19 that the carrier utilizes a pharmacy benefits manager to facilitate the purchase of eligible  
20 Canadian prescription drugs as provided in this section.