

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

666Z0652

SENATE BILL NO. 141

Introduced by: Senators Solano, Cronin, Maher, Peters, Rusch, and Sutton and
Representatives Gosch, Lake, McCleerey, Peterson (Kent), Steinhauer,
Stevens, and Willadsen

1 FOR AN ACT ENTITLED, An Act to establish certain provisions regarding pharmacy benefits
2 management.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 58-29E be amended by adding a NEW SECTION to read:

5 A pharmacy benefits manager may neither prohibit nor penalize a pharmacist or pharmacy
6 for providing cost-sharing information on the amount a covered individual may pay for a
7 particular prescription drug.

8 Section 2. That chapter 58-33 be amended by adding a NEW SECTION to read:

9 The following acts or practices by a pharmacy benefits manager are declared to be false,
10 misleading, deceptive, or unfair:

11 (1) Prohibiting a pharmacist or pharmacy for providing cost-sharing information on the
12 amount that a covered individual may pay for a particular prescription drug by a
13 pharmacist or pharmacy; or

14 (2) Penalizing a pharmacist or pharmacy for providing cost-sharing information on the



1 amount that a covered individual may pay for a particular prescription drug by a
2 pharmacist or pharmacy.