



# State of Tennessee

## PUBLIC CHAPTER NO. 998

HOUSE BILL NO. 2660

By Mr. Speaker Sexton, Representatives Lafferty, Russell, Eldridge, Reedy, Todd

Substituted for: Senate Bill No. 2457

By Senators Reeves, Haile

AN ACT to amend Tennessee Code Annotated, Title 4 and Title 56, relative to the department of commerce and insurance's ability to promulgate rules.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 56-7-3101, is amended by designating the existing language as subsection (a) and adding the following new subsection:

(b)

(1) The commissioner of commerce and insurance shall promulgate rules to effectuate the purposes of this part and part 32 of this chapter, including, but not limited to, rules to:

(A) Implement pharmacy benefits manager audits that are necessary to ensure compliance with this part and part 32 of this chapter; provided, such audits must not occur more than once every three (3) years unless the commissioner determines there is a need to investigate the financial condition of or legality of conduct by a pharmacy benefits manager;

(B) Provide for additional requirements for pharmacy benefits managers to obtain licensure pursuant to § 56-7-3113;

(C) Implement a complaint and administrative hearing process to effectuate § 56-7-3110; and

(D) Provide for such fees as the commissioner determines are reasonably necessary to administer this part and part 32 of this chapter, including, but not limited to, a fee to cover the cost of supervising compliance with this part and part 32 of this chapter, payable by a pharmacy benefits manager upon being the subject of an audit pursuant to this section.

(2) Rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5. A violation of any rule issued pursuant to this section is a violation of this part.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

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PASSED: April 18, 2022



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CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES



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RANDY MCNALEY  
SPEAKER OF THE SENATE

APPROVED this 4<sup>th</sup> day of May 2022



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BILL LEE, GOVERNOR