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AN ACT

RELATING TO PHARMACEUTICALS; ENACTING A SECTION OF THE
PHARMACY BENEFITS MANAGER REGULATION ACT TO BAN CERTAIN FEES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 59A-61-1 NMSA 1978 (being Laws 2014,
Chapter 14, Section 1) is amended to read:

"59A-61-1. SHORT TITLE.--Chapter 59A, Article 61 NMSA
1978 may be cited as the "Pharmacy Benefits Manager
Regulation Act"."

SECTION 2. A new section of the Pharmacy Benefits
Manager Regulation Act is enacted to read:

"PHARMACY BENEFITS MANAGERS--PROHIBITED PHARMACY FEES.--
A pharmacy benefits manager shall not charge a pharmacist or
pharmacy a fee related to the adjudication of a claim,
including:

- A. the receipt and processing of a pharmacy claim;
- B. the development or management of a claim
processing or adjudication network; or
- C. participation in a claim processing or claim
adjudication network.

SECTION 3. APPLICABILITY.--The provisions of this act:

A. apply to any contract executed or renewed on or
after June 16, 2017; and

B. shall not be construed to affect the terms of a

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contract entered into or renewed before June 16, 2017."