

H. B. No. 291
As Introduced

_____ moved to amend as follows:

In line 6, delete "L" 1

In line 7, delete "interchangeable" and insert "I" 2

(1) "Interchangeable" 3

In line 9, after "Code" insert "I" 4

(2) "Pharmacy" has the same meaning as in section 4729.01
of the Revised Code. 5
6

(3) "Rate of inflation" has the same meaning as in section
107.032 of the Revised Code. 7
8

(4) "Wholesale acquisition cost" has the same meaning as
in 42 U.S.C. 1395w-3a" 9
10

In line 10, after "Code," insert "but subject to divisions (C) and
(D) of this section," 11
12

In line 60, after "(D)" insert "If, at any point during a plan year,
the wholesale acquisition cost for a drug increases by more than five per
cent plus the rate of inflation, as compared to the average wholesale
acquisition cost for the previous plan year, division (C) of this section" 13
14
15
16



does not apply to that drug for the remainder of the plan year. 17

(E) " 18

The motion was _____ agreed to.

SYNOPSIS 19

Exception for increased drug prices 20

R.C. 3902.63 21

Creates an exception to the bill's general medication 22
switching prohibitions if the wholesale acquisition cost for a 23
prescription drug increases by more than 5% plus the percentage 24
increase or decrease in the consumer price index over a one-year 25
period, as most recently determined by the U.S. Bureau of Labor 26
Statistics. 27

Defines "wholesale acquisition cost" as the manufacturer's 28
list price for a drug to wholesalers or direct purchasers in the 29
United States, not including prompt pay or other discounts, 30
rebates, or reductions in price, for the most recent month for 31
which the information is available, as reported in wholesale 32
price guides or other publications of drug or biological pricing 33
data. 34