



Insurance Department

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Insurance Commissioner

State of Utah

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BULLETIN 2020-10(b)

TO: Pharmacy Drug Manufacturers and Health Insurers
FROM: Todd E. Kiser, Utah Insurance Commissioner
DATE: September 24, 2020
SUBJECT: **Utah Code Section 31A-48-103 – Pharmacy Drug Manufacturer and Health Insurer Reporting**

This Bulletin applies to a pharmacy drug manufacturer, as defined in Section § 31A-48-102(3): "Manufacturer" means a person that is engaged in the manufacturing of a drug that is available for purchase by residents of the state; and a health insurer, as defined in Section 31A-48-102(2): "Insurer" means the same as that term is defined in Section 31A-22-634.

During the 2020 General Session, the Utah Legislature passed HB272, Pharmacy Benefit Amendments, which created Chapter 48, the Prescription Drug Price Transparency Act (see Sections 31A-48-101 through 31A-48-103). Section 31A-48-103(1) requires pharmacy drug manufacturers to submit reports to the Utah Insurance Department (Department) regarding the drugs they manufacture.

The Department is creating a reporting template and an administrative rule that will provide guidelines for pharmacy drug manufacturers to submit the reports required by Section 31A-48-103(1). During the 2020 Sixth Special Session, the Utah Legislature passed HB6011, Pharmaceutical Reporting Amendments, which modified the statutory due date for these reports. The Department expects to be ready to start receiving pharmacy drug manufacturer reports on January 1, 2022.

The Department will work with pharmacy drug manufacturers and other stakeholders to develop a reporting template, an administrative rule, and a standard method of securely receiving and storing the information provided by pharmacy drug manufacturers in these reports. Pharmacy drug manufacturer reports will not be required prior to January 1, 2022. Further information will be provided as this process unfolds.

To facilitate communication between pharmacy drug manufacturers and the Department, pharmacy drug manufacturers must register with the Department using the Pharmacy Drug Manufacturer Registration Form (available at <https://insurance.utah.gov/wp-content/uploads/PDMRegistration.pdf>) on or before October 30, 2020. The Department will use this information to communicate with pharmacy drug manufacturers.

Section 31A-48-103(2) requires health insurers to submit reports to the Department regarding the impact of drugs on health insurance premiums. Health insurers will not be required to submit these reports prior to August 1, 2021. The Department will provide more information on how these reports are to be filed as this process unfolds.

DATED this 24th day of September 2020.

Todd E. Kiser
Insurance Commissioner