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

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

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

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

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

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

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

(2) Penalizing a pharmacist or pharmacy for providing cost-sharing information on the...
amount that a covered individual may pay for a particular prescription drug by a pharmacist or pharmacy.