



## Ohio Revised Code

### Section 3957.13

Effective: June 30, 2026

Legislation: House Bill 229

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(A) On and after July 1, 2027, a pharmacy benefit manger shall do all of the following:

(1) Maintain relevant books and records that reflect all transactions administered by the pharmacy benefit manager pursuant to agreements that are subject to this chapter, specifically in regard to premiums or contributions received and deposited, and claims and authorized expenses paid.

(2) Prepare, journalize, and post the relevant books and records described in division (A)(1) of this section in accordance with the terms and conditions of the service agreement between the pharmacy benefit manager and the insurer or plan sponsor and in accordance with the "Employee Retirement and Income Security Act of 1974," 29 U.S.C. 1001.

(3) Maintain the relevant books and records described in division (A)(1) of this section for the period during which the pharmacy benefit manager provides services for the applicable insurer or plan sponsor and for ten years thereafter.

(4) Maintain a cash receipts register of all premiums or contributions received, including, at minimum, the date such contributions are received and deposited.

(B) For purposes of the relevant books and records described in division (A)(1) of this section, a pharmacy benefit manager's description of a disbursement shall be in sufficient detail to identify the source document substantiating the purpose of the disbursement, and shall include all of the following:

(1) The check number;

(2) The date of disbursement;

(3) The person to whom the disbursement was made;



(4) The amount disbursed and, if the amount disbursed does not align with the amount billed or authorized, a written record as to the application for the disbursement;

(5) If the disbursement is for the earned pharmacy benefit manager fee or commission, a written record reflecting the identifying deposit from which the fee is matched.

(C) A pharmacy benefit manager shall support all journal entries for receipts and disbursements with evidence that is referenced in the journal entry so that it may be traced for verification.

(D) A pharmacy benefit manager shall prepare and maintain monthly financial institution account reconciliations if requested by an insurer or plan sponsor as provided in any service agreement by and between the pharmacy benefit manager and the insurer or plan sponsor that is subject to this chapter.

(E) A pharmacy benefit manager shall prepare a report to be filed with the insurer or plan sponsor with which the pharmacy benefit manager has an agreement subject to this chapter within ninety days after the end of the fiscal year of the plan that, at minimum, discloses all of the following:

(1) The total premiums or contributions received from the plan sponsor, covered persons, or beneficiaries;

(2) The total administration fees withdrawn by the pharmacy benefit manager pursuant to the written service agreement;

(3) The total claim payments made during the reporting period.

(F) A pharmacy benefit manager shall pay return premiums or contributions to the insurer or plan sponsor with which the pharmacy benefit manager has an agreement subject to this chapter, or credit such return premiums or contributions to the account of the insurer or plan sponsor, within thirty days after receipt by the pharmacy benefit manager. If the pharmacy benefit manager credits the return premium or contribution to the insurer or plan sponsor, the pharmacy benefit manager shall show and apply the credit to the next billing statement sent to the insurer or plan sponsor.



(G) On and after July 1, 2027, the superintendent of insurance may examine the relevant books and records described in division (A)(1) of this section of a pharmacy benefit manager as necessary to determine the following related to any contracts involving a pharmacy benefit manager and a plan sponsor of a health benefit plan or health plan issuer:

(1) The aggregate amount of rebates received by a pharmacy benefit manager;

(2) The aggregate amount of rebates distributed by a pharmacy benefit manager to an appropriate plan sponsor of a health benefit plan or health plan issuer;

(3) The aggregate amount of rebates passed on to a covered person under the health benefit plan at the point of sale that reduced the person's applicable deductible, copayment, coinsurance, or other cost-sharing amount;

(4) The individual and aggregate amount paid by a plan sponsor of a health benefit plan or health plan issuer to the pharmacy benefit manager for pharmacist services itemized by pharmacy, product, and goods and services, including other prescription drug or device services;

(5) The individual and aggregate amount a pharmacy benefit manager paid for pharmacist services itemized by pharmacy, product, and goods and services, including other prescription drug or device services.

(H) To carry out the duties of division (G) of this section, the superintendent may contract with a third party to examine the relevant books and records described in division (A)(1) of this section of a pharmacy benefit manager.

(I) A pharmacy benefit manager shall pay all expenses associated with the examination functions authorized or required by this section, including any expenses related to a contract with a third party to conduct that examination. The superintendent shall provide the pharmacy benefit manager with an itemized statement of the expenses incurred in the performance of those functions and, upon receipt of that statement, the pharmacy benefit manager shall remit the full amount of such expenses to the superintendent. The superintendent shall remit amounts received under this division to the treasurer



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of state pursuant to section 3901.021 of the Revised Code for deposit in the department of insurance operating fund.

(J) Upon written notification to a pharmacy benefit manager by the superintendent of insurance that the pharmacy benefit manager has violated any provision of this section, the pharmacy benefit manager shall correct the violation specified in the notice within sixty days.