

State of Arkansas

As Engrossed: S4/3/25

95th General Assembly

A Bill

Regular Session, 2025

SENATE BILL 583

By: Senator C. Tucker

By: Representative J. Moore

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING MAXIMUM ALLOWABLE
COST LISTS RELATING TO PHARMACY SERVICES; TO CLARIFY
THAT A PHARMACY, PHARMACIST, OR BUSINESS PROVIDING
PHARMACY SERVICES MAY PURSUE A PRIVATE RIGHT OF
ACTION FOR VIOLATIONS RELATED TO THE LAWS CONCERNING
MAXIMUM ALLOWABLE COST LISTS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING MAXIMUM
ALLOWABLE COST LISTS RELATING TO
PHARMACY SERVICES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 17-92-507, concerning Maximum Allowable
Cost Lists relating to pharmacy services, is amended to add an additional
subsection to read as follows:

(h)(1) A pharmacy, pharmacist, or business providing pharmacy services
may pursue a private right of action for violations of this section and for
provided remedies, including without limitation compensatory damages, actual
financial losses, and punitive damages under:

(A) The Deceptive Trade Practices Act, § 4-88-101 et seq.;

(B) The Arkansas Pharmacy Benefits Manager Licensure Act,
§ 23-92-501 et seq.; and

(C) The Trade Practices Act, § 23-66-201 et seq.

(2) In any private cause of action as described in subdivision
(h)(1) of this section, a prevailing pharmacy, pharmacist, or business



1 providing pharmacy services may recover attorney's fees and all costs
2 incurred in pursuing the action.

3 (3) A pharmacy, pharmacist, or business providing pharmacy
4 services pursuing a violation of this section under the Trade Practices Act,
5 § 23-66-201 et seq., may recover statutory damages of ten thousand dollars
6 (\$10,000) per violation.

7 (4) The private right of action created in this section does not
8 permit an action against any government, governmental agency, or governmental
9 official.

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11 /s/C. Tucker
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14 **APPROVED: 4/22/25**
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