

**Hall of the House of Representatives**  
95th General Assembly - Regular Session, 2025  
**Amendment Form**

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**Subtitle of Senate Bill 104**

TO AMEND THE ARKANSAS PHARMACY BENEFITS MANAGER LICENSURE ACT; TO  
PROTECT PATIENTS' RIGHTS AND ACCESS TO MEDICATIONS; AND TO DECLARE AN  
EMERGENCY.

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**Amendment No. 1 to Senate Bill 104**

Amend Senate Bill 104 as originally introduced:

Add Senator M. Johnson as a cosponsor of the bill

AND

Page 2, line 3, delete "(16)" and substitute "(16)(A)"

AND

Page 2, delete line 7, and substitute the following:

"removed from the specified entity.

(B) Whether an entity is an "affiliate" does not depend on  
the percentage or form of ownership interest or any allocation of membership  
or ownership between entities, but it is the existence of control or common  
control that is the sole determinative factor;"

AND

Page 6, line 23, delete "(a)" and substitute "(a)(1)"

AND



Page 6, delete line 24, and substitute the following:

"a ghost network within this state.

(2) For purposes of this section, a network shall not be considered a ghost network if the network includes at least one (1) mail-order pharmacy option and one (1) in-person pharmacy option that is physically located in this state if both the mail-order pharmacy option and the in-person pharmacy option are:

(A) Accepting new patients; and

(B) Otherwise available to an enrollee in this state."

AND

Page 6, line 25, delete "(b)" and substitute "(b)(1)"

AND

Page 6, line 27, delete "(1)" and substitute "(A)"

AND

Page 6, delete lines 32 through 35, and substitute the following:

"(B) Failing to provide adequate access to pharmacy services for all covered self-administered prescription drugs, including through a licensed pharmacy physically located within this state; or

(C) Representing that a broad network of pharmacies or"

AND

Page 7, delete line 2, and substitute the following:

"in-state providers accessible to an enrollee.

(2) For purposes of this section, a network shall not be considered a carve-out network if the network includes at least one (1) mail-order pharmacy option and one (1) in-person pharmacy option that is physically located in this state if both the mail-order pharmacy option and the in-person pharmacy option are:

(A) Accepting new patients; and

(B) Otherwise available to an enrollee in this state."

AND

Page 8, delete lines 10 and 11, and substitute the following:

"manager affiliate without considering the enrollee's individual limitations,  
including"

The Amendment was read \_\_\_\_\_  
By: Representative Lundstrum  
ANS/ANS - 03-18-2025 09:21:11  
ANS403

\_\_\_\_\_  
Chief Clerk