

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1150

5 By: Representative J. Moore
6 By: Senator K. Hammer
7

For An Act To Be Entitled

8
9 AN ACT TO PROHIBIT A HEALTHCARE PAYOR OR A PHARMACY
10 BENEFITS MANAGER FROM OBTAINING CERTAIN PHARMACY
11 PERMITS; AND FOR OTHER PURPOSES.
12
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Subtitle

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15 TO PROHIBIT A HEALTHCARE PAYOR OR A
16 PHARMACY BENEFITS MANAGER FROM OBTAINING
17 CERTAIN PHARMACY PERMITS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. DO NOT CODIFY. Legislative findings and intent.

22 (a) The General Assembly finds that:

23 (1) It is beneficial to the State of Arkansas to support patient
24 access to prescription drugs and pharmacy services at fair prices in a market
25 that supports optimal patient care;

26 (2) The Federal Trade Commission and the United States House
27 Committee on Oversight and Government Reform have found evidence of
28 anticompetitive business tactics that have driven locally-operated pharmacies
29 out of business, limiting patient choices and inflating drug prices at
30 pharmacies owned by pharmacy benefits managers and healthcare payors; and

31 (3) The State of Arkansas wishes to minimize conflicts of
32 interest by stopping the pharmacy benefits managers and healthcare payors
33 acting as a "fox guarding the henhouse" by being both a price setter and
34 price taker.

35 (b) It is the intent of the General Assembly that the State of
36 Arkansas shall improve healthcare delivery in the pharmacy market for



1 patients by eliminating certain anticompetitive business tactics as a basic
2 tenet of this act.

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4 SECTION 2. Arkansas Code Title 17, Chapter 92, Subchapter 4, is
5 amended to add an additional section to read as follows:

6 17-92-414. Prohibition on pharmacy permits, specialty permits,
7 hospital pharmaceutical services permits, and ambulatory care center pharmacy
8 permits – Definitions.

9 (a) As used in this section:

10 (1)(A) "Healthcare payor" means the same as defined in § 23-92-
11 503.

12 (B) "Healthcare payor" includes an entity that:

13 (i) Is managed by a healthcare payor or is a
14 subsidiary of a healthcare payor; or

15 (ii) Has a direct or indirect ownership interest in
16 a healthcare payor.

17 (C)(i) "Healthcare payor" does not include a participating
18 provider that has an ownership interest in a Medicaid provider-led organized
19 care system unless the participating provider is a managed care company,
20 healthcare insurer, pharmacy benefits manager, or otherwise has direct or
21 indirect common ownership with a managed care company, healthcare insurer, or
22 pharmacy benefits manager;

23 (2) "Participating provider" means the same as defined in § 20-
24 77-2703;

25 (3)(A) "Permit" means a permit issued under § 17-92-405.

26 (B) "Permit" includes a pharmacy permit for a mail-order
27 pharmacy; and

28 (4)(A) "Pharmacy benefits manager" means the same as defined in
29 § 23-92-503.

30 (B) "Pharmacy benefits manager" includes an entity that:

31 (i) Is managed by a pharmacy benefits manager or is
32 a subsidiary of a pharmacy benefits manager; or

33 (ii) Has a direct or indirect ownership interest in
34 a pharmacy benefits manager.

35 (b) A healthcare payor or pharmacy benefits manager shall not acquire
36 direct or indirect interest in, or otherwise hold, directly or indirectly, a

1 permit under § 17-92-405 for the retail sale of drugs or medicines in this
2 state.

3 (c) On and after the effective date of this act, the Arkansas State
4 Board of Pharmacy shall revoke a permit of an entity that violates this
5 section.

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7 SECTION 3. DO NOT CODIFY. Effective date.

8 This act is effective on and after January 1, 2026.

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