

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

As Engrossed: S4/3/25

# A Bill

SENATE BILL 583

5 By: Senator C. Tucker  
6 By: Representative J. Moore  
7

## For An Act To Be Entitled

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

## Subtitle

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18 TO AMEND THE LAW CONCERNING MAXIMUM  
19 ALLOWABLE COST LISTS RELATING TO  
20 PHARMACY SERVICES.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code § 17-92-507, concerning Maximum Allowable  
25 Cost Lists relating to pharmacy services, is amended to add an additional  
26 subsection to read as follows:

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

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

32 (B) The Arkansas Pharmacy Benefits Manager Licensure Act,  
33 § 23-92-501 et seq.; and

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

35 (2) In any private cause of action as described in subdivision  
36 (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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