

**§ 58-56A-22. Reporting requirements for transparency.**

(a) Reports to Commissioner. – No later than May 1 of every year, all pharmacy benefits managers shall report to the Commissioner all of the following information regarding prescription drug benefits specific to insurers within the State with which a pharmacy benefits manager has a contract:

- (1) The aggregate amount of the rebates that the pharmacy benefits manager received from all drug manufacturers or whole distributors by therapeutic category of prescription drugs. In reporting the aggregate amount of the rebates, the pharmacy benefits manager shall include any utilization discounts it receives from a manufacturer or wholesale distributor.
- (2) The aggregated amount of difference between the amount paid by the health benefit plan for prescription drugs and the aggregated amount paid to pharmacies for claims paid under the health benefit plan, including point-of-sale and retroactive charges.
- (3) The spread between aggregate amount paid to pharmacies for prescription drugs and the aggregated amount charged to insurers for prescription drugs.
- (4) A list of all pharmacies that are under common control or ownership of the pharmacy benefits manager.
- (5) A pharmacy benefits manager that is affiliated with a retail pharmacy shall provide the aggregated amount of any differences between what the pharmacy benefits manager reimburses or charges affiliated retail pharmacies and what it reimburses or charges non-affiliated retail pharmacies.
- (6) The aggregate amount of all fees or other assessments, including point-of-sale and retroactive charges, that are imposed on, or collected from, contracted, preferred, or in-network pharmacies. Retroactive charges shall not include any funds recouped from an audit conducted under Part 8 of Article 50 of this Chapter.
- (7) The aggregate amount of rebates and fees that were passed on to either the insurer with which the pharmacy benefits manager is contracted or an insured at the point-of-sale of a prescription drug.
- (8) The highest, lowest, and mean aggregate percentages for retained rebates by the pharmacy benefits manager.

(b) Confidentiality of Data. – Information contained in a report required under this section shall not reveal any personally identifiable information of any insured. Information contained in this report is not considered a public record under Chapter 132 of the General Statutes or under G.S. 58-2-100 and is confidential and privileged. (2025-69, s. 3.1(b).)