

§ 58-56B-35. (Effective October 1, 2026) Appeals.

(a) Disputes. – If there is a dispute between an independent pharmacy and a PBM or third-party payer, then a PSAO which has entered into a PSAO-pharmacy contract with that independent pharmacy shall ensure and facilitate timely communication between the pharmacy and the PBM or third-party payer.

(b) PSAO Contracted with an Independent Pharmacy. – If a third-party payer or a PBM provides any notice or other information to a PSAO that is related to an independent pharmacy with which the PSAO has entered into a PSAO-pharmacy contract, then that shall be considered provision of that notice or other information to the pharmacy with which the PSAO is contracted. A third-party payer or PBM shall not be required to provide notice or other information to both the PSAO and the independent pharmacy with which the PSAO has entered into a PSAO-pharmacy contract.

(c) Timeliness. – A PSAO shall forward all notices of appeals from an independent pharmacy with which the PSAO has entered into a PSAO-pharmacy contract to the relevant PBM or third-party payer in a timely manner.

(d) Denials. – If an appeal received by a PSAO from an independent pharmacy does not meet the minimum requirements contained within a PSAO-pharmacy contract, then the PSAO shall notify the pharmacy and provide the denial reason or reasons. The PSAO shall allow the pharmacy to resubmit the appeal for review by a PBM, if applicable. (2025-69, s. 2.1.)