

§ 58-56B-5. (Effective October 1, 2026) Regulation of PSAOs by Department.

(a) Licensure Requirement. – No pharmacy services administrative organization that negotiates with PBMs, third-party payers, or both on behalf of any pharmacy in this State shall operate without obtaining a license from the Department.

(b) Application. – The Commissioner shall develop an application for licensure as a pharmacy services administrative organization and may charge an initial application fee of two hundred dollars (\$200.00) and an annual renewal fee of one hundred fifty dollars (\$150.00). The application form must collect at least the following information:

- (1) The name, address, and telephone contact number of the PSAO.
- (2) The name and address of the PSAO's agent for service of process in this State.
- (3) The name and address of each individual with management or control over the PSAO.
- (4) The name and address of each individual or entity with a beneficial ownership interest in the PSAO.
- (5) Either (i) a signed statement that, to the best of the applicant's knowledge, no officer with management or control of the PSAO has been convicted of a felony or has violated any requirement of State or federal law applicable to pharmacy services administration, pharmacy benefits management, or pharmacy services or (ii) a description of any felony or any violation of any requirement of State or federal law applicable to pharmacy services administration, pharmacy benefits management, or pharmacy services committed by any officer with management or control of the pharmacy benefits manager.

(c) Application Modifications. – Unless otherwise provided for in this Article, an applicant or a PSAO that is licensed to conduct business in the State shall file a notice describing any material modification of the information required to be contained in the licensure application under this section.

(d) Report and Disclose Requirements of Licensees. – Information contained in a report or disclosure required to be submitted to the Department by a PSAO under this Article 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. 2.1.)