**PENNSYLVANIA SUGGESTED REVISIONS TO PROPOSED SECTION 6—GAG CLAUSES PROHIBITED BASED ON THE NAIC CONSUMER REPRESENTATIVES’ COMMENTS**

***ALL NEW LANGUAGE***

E. A pharmacy benefit manager ma~~n~~y not require a covered person purchasing a covered prescription drug to pay an ~~cost-sharing~~ amount greater than the lesser of the covered person’s cost share or the amount the covered person ~~insured~~ would pay for the drug if he or she were paying the cash price. ~~to purchase the drug without coverage under a health benefit plan~~.

F. Any amount paid by a covered person under subsection (E) of this section shall be attributable toward any deductible or, to the extent consistent with Section 2707 of the Public Health Service Act, the annual out-of-pocket maximums under the covered person’s health benefit plan.