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Advisory Notice

TO: All Pharmacy Benefit Managers (PBM)

FROM: Life & Health Division

DATE: October 24, 2025

SUBJECT: Pharmacy Benefit Licensing S257 NCGS § 58-56B

This advisory pertains to licensing of Pharmacy Benefit Managers in North Carolina under N.C General Statue § 58-56A-2 <u>PBM Statute</u>.

The Administrative Rules for licensing have been adopted and are in Title 11 NCAC Chapter 24 PBM Administrative Code. The North Carolina Department of Insurance will begin immediately accepting applications for Pharmacy Benefit Manager Licensing. Application and supporting documentation must be in our office by the end of November.

A Pharmacy Benefit Manager is defined in NCGS 58-56A-1(14) an entity who contracts with a pharmacy on behalf of an insurer or third-party administrator to administer or manage prescription drug benefits to the functions listed in this statute. NCGS 58-56A-1

All PBM license application documentation, notice of change of ownership, and/or change of officer or directors must be submitted electronically using Citrix ShareFile Instructions and Citrix ShareFile Instructions or other secure electronic filing method, NO ZIP FILES. Initial filing fee payment of \$2,000 must be made separately via USPS or overnight at addresses provided in the Filing Instructions below. Please include a copy of the cover letter in order that payment may be attributed accurately. Cover letter in order that payment may be attributed accurately. Cover letter in order that payment may be attributed accurately. Paper filings or notifications will not be accepted. See below for information required regarding Initial PBM License Application.

All forms can be downloaded from our website here: https://www.ncdoi.gov/licensees/life-and-health-licensing/pharmacy-benefit-manager-licensing

- PBM Transmittal Form
- PBM Application Form
- PBM Questionnaire Form
- List of PBM principal officials' names and position along with the current email of the Compliance person. See the PBM Transmittal Form for what is to be included in the list. Bios for Principal Officers
- Power of Attorney Form
- Company's By-Laws
- If the PBM contracts with insurers, provide a list of the insurers along with the insurer's contact information.
- Organizational documents such as articles of incorporation or organization, or other applicable documents, including all amendments made to the documents.
- Financial statements for the last two fiscal years, prepared by an independent CPA
- Narrative discussing internal controls of PBM operations
- General description of business operations
- Non Refundable \$2,000 filing fee
- Current authorization to act on behalf of PBM, if PBM license renewal is being made by a third party.

Please contact Life & Health Division at LHinbox@ncdoi.gov with any questions or Rebecca Hill at Rebecca.hill@ncdoi.gov

Checks can be mailed via USPS to:

NC Dept. of Insurance/L&H Division 3rd Floor 1201 Mail Service Center Raleigh, NC 27699-1201

Checks can be mailed overnight to:

NC Dept. of Insurance/L&H Division 3200 Beechleaf Ct. 3rd Floor Raleigh, NC 27604

Note, a PBM that contracts only with single employer ERISA self-funded health plans must continue to register as a TPA, as required by NCGS 58-56-51(f). Registration instructions and forms are found in our TPA website here: <u>TPA Registration Instructions</u>.