

- (1) The seven deputy commissioners with the least time of service shall each serve a term of six months expiring February 1, 2015.
- (2) The seven deputy commissioners with the next least time of service shall each serve a term of 12 months expiring August 1, 2015.
- (3) The remaining deputy commissioners not covered under subdivision (1) or (2) of this subsection shall each serve a term of 18 months expiring February 1, 2016.
- (4) Time of service shall be calculated beginning with the hire date of the person as a deputy commissioner.
- (5) Nothing in this section shall prohibit a current deputy commissioner from being eligible for reappointment to a six-year term, as provided by subsection (a) of this section.

SECTION 15.16.(d) Section 60(b) of S.L. 2013-413 is repealed.

SECTION 15.16.(e) This section is effective when it becomes law.

WORKERS' COMPENSATION/REIMBURSEMENT FOR PRESCRIPTION DRUGS AND PROFESSIONAL PHARMACEUTICAL SERVICES

SECTION 15.16A.(a) Article 1 of Chapter 97 of the General Statutes is amended by adding a new section to read as follows:

"§ 97-26.2. Reimbursement for prescription drugs and professional pharmaceutical services.

(a) The reimbursement for prescription drugs and professional pharmaceutical services shall be limited to ninety-five percent (95%) of the average wholesale price (AWP) of the product, calculated on a per unit basis, as of the date of dispensing.

(b) All of the following shall apply to the reimbursement for prescription drugs and professional pharmaceutical services:

- (1) A health care provider seeking reimbursement for drugs dispensed by a physician shall include the original manufacturer's National Drug Code (NDC) number, as assigned by the United States Food and Drug Administration, on the bills and reports required by this section.
- (2) In no event may a physician receive reimbursement in excess of ninety-five percent (95%) of the AWP of the drugs dispensed by a physician, as determined by reference to the original manufacturer's NDC number.
- (3) A repackaged NDC number may not be used and will not be considered the original manufacturer's NDC number. If a health care provider seeking reimbursement for drugs dispensed by a physician does not include the original manufacturer's NDC number on the bills and reports required by this section, reimbursement shall be limited to one hundred percent (100%) of the AWP of the least expensive clinically equivalent drug, calculated on a per unit basis.
- (4) No outpatient provider, other than a licensed pharmacy, may receive reimbursement for a Schedule II controlled substance, as defined in G.S. 90-90, or a Schedule III controlled substance, as defined in G.S. 90-91, dispensed in excess of an initial five-day supply, commencing upon the employee's initial treatment following injury. Reimbursement under this subdivision shall be made for the five-day supply at the rates provided in this section.
- (5) For purposes of this section, the term "clinically equivalent" means a drug has chemical equivalents which, when administered in the same amounts, will provide essentially the same therapeutic effect as measured by the control of a symptom or disease."

SECTION 15.16A.(b) This section is effective when it becomes law.

INDUSTRIAL COMMISSION FEES

SECTION 15.16B.(a) G.S. 97-73 reads as rewritten:

"§ 97-73. Fees.

(a) Claims. – ~~The~~ Except as provided in subsection (e) of this section, the Industrial Commission may establish by rule a schedule of fees for examinations conducted, reports