

First Regular Session of the 124th General Assembly (2025)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2024 Regular Session of the General Assembly.

## SENATE ENROLLED ACT No. 3

---

AN ACT to amend the Indiana Code concerning insurance.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 27-1-25.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

**Chapter 25.5. Fiduciary Duties**

**Sec. 1. As used in this chapter, "fiduciary duty" includes the duty to:**

- (1) act with loyalty and care in the best interest of the plan sponsor;**
- (2) ensure that all fees, costs, and commissions are reasonably and fully disclosed;**
- (3) avoid self-dealing and conflicts of interest; and**
- (4) maintain transparency in all financial and contractual arrangements related to the plan sponsor's health insurance coverage, including prescription drug benefits.**

**Sec. 2. As used in this chapter, "health insurance coverage" includes:**

- (1) a group policy of accident and sickness insurance (as defined in IC 27-8-5-1);**
- (2) a group contract (as defined in IC 27-13-1-16) that provides coverage for basic health care services (as defined in IC 27-13-1-4); and**
- (3) any other group health plan that limits eligibility to**

SEA 3 — Concur



members of a specific group.

The term includes coverage of a dependent of the covered individual under a group policy or contract described in subdivisions (1) through (3).

Sec. 3. As used in this chapter, "insurer" means an insurer that provides health insurance coverage to a covered individual.

Sec. 4. As used in this chapter, "pharmacy benefit manager" has the meaning set forth in IC 27-1-24.5-12.

Sec. 5. As used in this chapter, "plan sponsor" means an employer or organization that offers health insurance coverage to its employees or members through an insurer or a self-funded health benefit plan.

Sec. 6. Any:

(1) third party administrator; or

(2) pharmacy benefit manager;

acting on behalf of a plan sponsor owes a fiduciary duty to the plan sponsor.



---

President of the Senate

---

President Pro Tempore

---

Speaker of the House of Representatives

---

Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

**SEA 3 — Concur**

