

2019 Regular Session

HOUSE BILL NO. 242

BY REPRESENTATIVE LEBAS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

INSURANCE CLAIMS: Prohibits certain claims fees assessed by health insurers or pharmacy benefit managers

1 AN ACT

2 To amend and reenact R.S. 22:1860.2(A), relative to pharmacy claims fees; to prohibit  
3 health insurance issuers and pharmacy benefit managers from assessing certain  
4 pharmacy claims fees; to provide for an effective date; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1860.2(A) is hereby amended and reenacted to read as follows:

8 §1860.2. Certain pharmacy claims fees prohibited

9 A. A health insurance issuer or a pharmacy benefit manager ~~may~~ shall not  
10 directly or indirectly charge or hold a pharmacist or pharmacy responsible for any  
11 fee related to a claim that is any of the following:

- 12 (1) ~~That is not~~ Not apparent at the time of claim processing.
- 13 (2) ~~That is not~~ Not reported on the remittance advice of an adjudicated claim.
- 14 (3) After the initial claim is adjudicated.

15 \* \* \*

16 Section 2. This Act shall become effective upon signature by the governor or, if not  
17 signed by the governor, upon expiration of the time for bills to become law without signature  
18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
19 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
20 effective on the day following such approval.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 242 Original

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LeBas

**Abstract:** Prohibits health insurance issuers and pharmacy benefit managers from assessing certain pharmacy claims fees.

Present law provides that a health insurance issuer or a pharmacy benefit manager may not directly or indirectly charge or hold a pharmacist or pharmacy responsible for any fee related to a claim:

- (1) That is not apparent at the time of claim processing.
- (2) That is not reported on the remittance advice of an adjudicated claim.
- (3) After the initial claim is adjudicated.

Proposed law retains present law but clarifies that health insurance issuers and pharmacy benefit managers are prohibited from assessing any fee that meets any of the enumerated criteria.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 22:1860.2(A))