

2015 Regular Session

HOUSE BILL NO. 440

BY REPRESENTATIVE LEBAS

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

INSURANCE CLAIMS: Prohibits certain fees relative to the adjudication of pharmacy benefit claims

1 AN ACT

2 To enact R.S. 22:1852(13) and (14) and 1856.2, relative to the adjudication of pharmacy
3 benefit claims; to provide for definitions; to prohibit certain fees relative to such
4 adjudication; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 22:1852(13) and (14) and 1856.2 are hereby enacted to read as
7 follows:

8 §1852. Definitions

9 As used in this Subpart, the following terms shall be defined as follows:

10 * * *

11 (13) "Pharmacy benefits manager" means an entity that administers or
12 manages a pharmacy benefits plan or program.

13 (14) "Pharmacy benefits plan" or "pharmacy benefits program" means a plan
14 or program that pays for, reimburses, covers the cost of, or otherwise provides for
15 pharmacist services to individuals who reside in or are employed in Louisiana.

16 * * *

17 §1856.2. Pharmacy benefit claim adjudication

18 Notwithstanding any other provision of this Subpart to the contrary, a health
19 insurance issuer or a pharmacy benefit manager shall not directly or indirectly charge

1 or hold a pharmacist or pharmacy responsible for a fee for any step of or component
2 or mechanism related to the claim adjudication process, including the following:

3 (1) The adjudication of a pharmacy benefit claim.

4 (2) The processing or transmission of a pharmacy benefit claim.

5 (3) The development or management of a claim processing or adjudication
6 network.

7 (4) Participation in a claim processing or adjudication network.

8 Section 2. This Act shall not apply to any contract entered into or renewed before
9 September 15, 2015. However, this Act shall apply to any contract renewed on or after
10 September 15, 2015.

11 Section 3. This Act shall become effective on September 1, 2015.

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)]

HB 440 Original

2015 Regular Session

LeBas

Abstract: Prohibits certain fees relative to adjudication of pharmacy benefit claims.

Proposed law provides that, notwithstanding any other provision of present law relative to pharmacy and pharmacist claims, a health insurance issuer or a pharmacy benefit manager shall not directly or indirectly charge or hold a pharmacist or pharmacy responsible for a fee for any step of or component or mechanism related to the claim adjudication process, including the following:

- (1) The adjudication of a pharmacy benefit claim.
- (2) The processing or transmission of a pharmacy benefit claim.
- (3) The development or management of a claim processing or adjudication network.
- (4) Participation in a claim processing or adjudication network.

Specifies that proposed law shall not apply to any contract entered into or renewed before September 1, 2015, but shall apply to any contract renewed on or after September 1, 2015.

Effective on September 1, 2015.

(Adds R.S. 22:1852(13) and (14) and 1856.2)