

2016 Regular Session

SENATE BILL NO. 131

BY SENATOR JOHNS

HEALTH CARE. Provides for alternative options to prescription drugs. (8/1/16)

1 AN ACT

2 To enact R.S. 22:1060.6, relative to the prescription drug cost; to provide for pharmacist
3 communication with patients; to provide for immunity; to provide for an effective
4 date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 22:1060.6 is hereby enacted to read as follows:

7 **§1060.6. Affordable alternative options to prescription drugs**

8 **A. If a pharmacist dispensing a prescription drug to a patient has**
9 **information that indicates that the copayment applied by the patient's health**
10 **maintenance organization exceeds a cost that may otherwise be available for the**
11 **same prescription drug, the patient shall only be required to pay the lower**
12 **amount and no further charge to the patient or plan sponsor shall be incurred**
13 **on such prescription.**

14 **B. Any contract provision between a health insurance issuer or its agent**
15 **and a pharmacy that is contrary to the provisions in Subsection A of this**
16 **Section shall become void and unenforceable.**

17 Section 2. This Act shall become effective on August 1, 2016; if vetoed by the

- 1 governor and subsequently approved by the legislature, this Act shall become effective on
2 August 1, 2016, or on the day following such approval by the legislature, whichever is later.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christine Arbo Peck.

DIGEST

SB 131 Engrossed

2016 Regular Session

Johns

Proposed law provides that a patient getting prescription drugs from a pharmacist shall have the opportunity to pay the copay for their health plan or a lower amount for the same prescription drug if the pharmacist is aware of a lower amount. Proposed law makes any contracts with provisions contrary to proposed law void and unenforceable.

Effective August 1, 2016.

(Adds R.S. 22:1060.6)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Clarified that the intended discussion between the pharmacist and patient was to identify the lower of the cost of the patient's health plan copay or another cost that may be available and allow the patient to pay the lesser amount for the same prescription drug and that any contract provision between a health plan and a pharmacy to the contrary would be void and unenforceable.