1

SENATE BILL NO. 181

BY SENATOR BOUDREAUX

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

AN ACT

2	To amend and reenact R.S. 22:1068(D)(3), 1074(D)(3), and 1964(15)(a)(ii), relative to
3	health insurance; to provide for the guaranteed renewability of health insurance
4	coverage; to authorize the modification of drug coverage under certain
5	circumstances; to provide for unfair methods, acts, or practices by health insurers
6	against certain pharmacies and pharmacists; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 22:1068(D)(3), 1074(D)(3), and 1964(15)(a)(ii) are hereby amended
9	and reenacted to read as follows:
10	§1068. Guaranteed renewability of coverage for employers in the group market
11	* * *
12	D. A health insurance issuer may modify health insurance coverage offered
13	to a group health plan if each of the following conditions is met:
14	* * *
15	(3) The issuer notifies, on a form approved by the Department of Insurance,
16	each affected covered small or large employer and enrollee of the modification,
17	including modification of coverage of a particular product or modification of drug
18	coverage, not later than the sixtieth day before the date the modification is effective.
19	Notwithstanding the requirements of Paragraph (1) of this Subsection,
20	modification of drug coverage for any drug increasing over three hundred
21	dollars per prescription or refill with an increase in the wholesale acquisition
22	cost of at least twenty-five percent in the prior three hundred sixty-five days
23	may occur at any time provided that thirty-day notice of the modification of
24	coverage is given. The thirty-day notice of modification of coverage shall include
25	information on the issuer's process for an enrollee's physician to request an

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a policy form offered to individuals in the individual market if each of the follows conditions is met: 9 * * * * 10 (3) The issuer notifies, on a form approved by the Department of Insurate each affected individual of the modification, including modification of coverage a particular product or modification of drug coverage, not later than the sixtieth before the date the modification is effective. Notwithstanding the requirement Paragraph (1) of this Subsection, modification of drug coverage for any of increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an increasing over three hundred dollars per prescription or refill with an in	1	exception from the issuer's modification of drug coverage for purposes of
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28 execution of a contract for, a health benefits policy or plan which: 29 * * * *	26	* * *
29 * * *	27	(15)(a) The issuance, delivery, issuance for delivery, or renewal of, or
27	28	execution of a contract for, a health benefits policy or plan which:
30 (ii) Denies a pharmacy <u>licensed and physically located in the state</u>	29	* * *
	30	(ii) Denies a pharmacy <u>licensed and physically located in the state</u> or <u>a</u>

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pharmacist licensed in the state the right to participate as a contract provider of pharmaceutical services or pharmaceutical products under the policy or plan, or under a pharmacy network established by the policy or plan, if the pharmacy or pharmacist agrees in writing to provide pharmaceutical services and pharmaceutical products that meet all the terms and requirements, including the same administrative, financial, and professional conditions and a minimum contract term of one year, if requested, which apply to pharmacies and pharmacists which have been designated as providers under the policy or plan or as participating providers in a pharmacy network established by the policy or plan.

* * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA