

GREEN SHEET REDIGEST

HB 579

2024 Regular Session

McMahon

PHARMACISTS: Provides relative to pharmacist authorization to dispense HIV pre-exposure and post-exposure prophylaxis.

DIGEST

Proposed law defines "department", "human immunodeficiency virus", "post-exposure prophylaxis", and "pre-exposure prophylaxis".

Proposed law provides that a pharmacist may prescribe, dispense, and administer drugs for HIV pre-exposure prophylaxis and HIV post-exposure prophylaxis for a person 17 years or older pursuant to a standing order or protocol developed by the La. Dept. of Health.

Proposed law authorizes a pharmacist to perform a rapid HIV test or order laboratory testing for HIV infection for a person 17 years or older pursuant to protocol developed by the La. Dept. of Health.

Proposed law establishes certain requirements to ensure privacy and confidentiality relative to tests administered pursuant to proposed law.

Proposed law requires the La. Dept. of Health to promulgate administrative rules in accordance with the Administrative Procedure Act to establish protocols for the provisions of proposed law.

Proposed law requires the La. Dept. of Health to consult with an expert panel in developing the rules and protocol and identifies members of the panel.

Proposed law establishes certain requirements, including training program as approved by the department, to be included in the protocol.

Proposed law provides for requirements for the training program.

Proposed law further requires a pharmacist to document a focused assessment of the patient following best practices and guidelines for preventing HIV and steps to obtain consent, order, process, evaluate, interpret, and discuss results with patients of any laboratory tests listed in the protocol.

Proposed law requires a pharmacist to identify the nature and obligations for successful HIV pre-exposure prophylaxis or HIV post-exposure prophylaxis, as required by the patient, and the importance of timely testing for HIV and related complications and comorbid conditions.

Proposed law further requires reimbursement for any pharmacist authorized to provide a service relative to HIV pre-exposure and post-exposure prophylaxis. Such reimbursement shall be done at the same rate as a physician providing the service.

Proposed law provides that proposed law shall not be construed to require reimbursement from a health plan coverage or a third-party administrator or pharmacy benefit manager.

Proposed law may apply to group plan coverage provided to a resident of this state regardless of whether the health coverage plan policy, contract, or other agreement is delivered, issued for delivery, or renewed in this state.

(Adds R.S. 37:1218.2)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Revise the definitions of pre-exposure and post-exposure prophylaxis and remove the definition of "treatment as HIV as prevention".
2. Require completion of the training program prior to initiating therapy, administering, dispensing, or participating in any other activities related to the statewide protocol.
3. Remove the required training information and add relevant strategies for care for privately insured and uninsured patients.
4. Remove counseling provisions and require identification of the nature and obligations for successful HIV pre-and-post exposure prophylaxis.
5. Provide that proposed law shall not be construed to require reimbursement from a health plan coverage or a third-party administrator or pharmacy benefit manager nor shall it apply to coverage under a group health coverage plan to a resident of this state.
6. Make technical corrections.

The House Floor Amendments to the engrossed bill:

1. Provide that proposed law shall not be construed to require reimbursement from a health plan coverage or a third-party administrator or pharmacy benefit manager nor shall it be apply to coverage under a group health coverage plan to a resident of this state.
2. Require LDH to create a working group to advise it in promulgating administrative rules to implement the provisions of proposed law.
3. Require the administrative rules to be promulgated by Dec. 2024.
4. Identify who should be included in the working group required by proposed law.
5. Provide that proposed law may apply to group plan coverage.
6. Make technical corrections.

Summary of Amendments Adopted by Senate

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

1. Adds an age limit for individuals that are eligible to receive services provided for in proposed law.
2. Adds requirements relative to privacy and confidentiality.
3. Requires the La. Dept. of Health to develop the training program and changes certain requirements to be included in the program.
4. Changes requirements for reimbursement parity.
5. Makes technical changes.