The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 377 Original | 2026 Regular Session | Harris

Proposed law provides that a pharmacy benefit manager may negotiate but not retain rebates and fees, and may only derive income from pharmacy benefit management fees for pharmacy benefit management services provided to an insurer or health plan in this state.

Proposed law provides for audits of a pharmacy benefit manager by the commissioner of insurance and any insurer or health plan contracted with a pharmacy benefit manager holding a license issued by the commissioner once per calendar year.

Proposed law requires the pharmacy benefit manager to provide information pursuant to proposed law within 30 days of receipt of any request from the commissioner and any insurer or health plan.

Proposed law requires the pharmacy benefit manager to certify that all information submitted to the commissioner or any insurer or health plan pursuant to proposed law is accurate and complete in all material respects.

Proposed law provides that a pharmacy benefit manager that has a contract with an insurer or health plan entered into, amended, extended, or renewed on or after January 1, 2027, must specify all forms of revenue, including pharmacy benefit management fees, to be paid by the insurer or health plan to the pharmacy benefit manager and acknowledge that spread pricing is not permitted in accordance with proposed law.

Proposed law mandates the state only regulate a pharmacy benefit manager or insurer to the extent permissible under applicable law.

Present law requires a health insurance issuer or its agent to decide the amount of any processing fee on each pharmacy claim in conjunction with the affected pharmacist or pharmacy.

Proposed law repeals present law.

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

(Adds R.S. 22:1657.1; repeals R.S. 22:1856(F))