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SB 381 Original

DIGEST
2026 Regular Session

Bass

Present law provides pharmacists and pharmacies an administrative appeal with a PBM over reimbursement costs. Proposed law retains present law and further allows a pharmacist or pharmacy to submit a consolidated appeal representing multiple substantially similar claims.

Present law prohibits PBMs from retaining rebates negotiated with a drug manufacturer. Proposed law retains present law.

Proposed law prohibits a PBM from obtaining rebates on name brand drugs in exchange for not placing drugs in the same class of drugs on the PBM's drug formulary.

Proposed law provides for definitions.

Proposed law requires a PBM revising the formulary of covered drugs to provide a 60 day continuity-of-care period when a drug being removed from the formulary continues to be provided at the same cost. Further provides for exceptions to the continuity-of-care requirement.

Proposed law prohibits a PBM from requiring an insured receive a drug that is manufactured by an affiliated manufacturer of the PBM when a generically equivalent drug is available.

Proposed law prohibits a PBM from requiring the use of more expensive name brand drugs when less expensive drugs in the same class are available.

Proposed law prohibits the removal of a drug from the formulary during a policy year. Further provides for exceptions.

Proposed law prohibits reclassifying a drug to a more restrictive tier or a higher cost-sharing tier during a policy year.

Proposed law allows the addition of prescription drugs to the formulary during the policy year.

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

(Amends R.S. 22:1865(A) and 1868.1(A); adds R.S. 22:1868.2)