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## DIGEST

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HB 436 Reengrossed

2015 Regular Session

Robert Johnson

**Abstract:** Requires health insurance issuers to reimburse the pharmacy or pharmacist for payment of the provider fee when the pharmacy or pharmacist makes a claim for reimbursement of the fee.

Present law authorizes the Dept. of Health and Hospitals to impose a fee of up to 10¢ per prescription for prescription services provided by the Medicaid program.

Proposed law retains present law and requires health insurance issuers to reimburse pharmacies or pharmacists for the payment of the fee when the pharmacy or pharmacist makes a claim for reimbursement of the fee.

Proposed law requires the reimbursement of the fee to be made in accordance with the provisions of present law relative to electronic claim submission standards.

Proposed law shall have no effect to the extent that any sums otherwise certifiable by the state as a component of its share of expenditures in the medical assistance program cannot be certified.

Proposed law provides that the failure of a health insurance issuer or its agent to reimburse a pharmacy or pharmacist or his agent shall be an act for which the health insurance issuer or its agent may be sanctioned by the commissioner.

Proposed law authorizes any person sanctioned pursuant to proposed law to demand an administrative hearing.

(Amends R.S. 46:2625(A)(2); Adds R.S. 22:1860.1)

### Summary of Amendments Adopted by House

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

1. Make technical changes.
2. Remove the fee increases.
3. Remove the provision regarding the responsibility for payment of the fees to the Dept.

of Health and Hospitals.

4. Change the payment procedure from the time and manner required by the La. Insurance Code to not later than the 15th day after the date on which the claim was electronically adjudicated.
5. Add a provision prohibiting the enforcement of proposed law if any part of the state share of funding for the medical assistance program cannot be certified.
6. Add a provision deeming the failure to reimburse the fee to be an unfair or deceptive trade practice subject to the enforcement authority of the commissioner of insurance.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Authorize the commissioner of insurance to sanction a health insurance issuer or its agent for failure to reimburse pharmacy provider fees.
3. Authorize a person who is sanctioned to request an administrative hearing.
4. Delete provisions establishing the failure to reimburse pharmacy provider fees as an unfair trade practice.
5. Clarify that the reimbursement of pharmacy provider fees shall be made in accordance with the provisions of present law relative to electronic claim submission standards.