
 DIGEST

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SB 283 Reengrossed

2018 Regular Session

Mills

Present law requires pharmacy benefit managers to be licensed by the Dept. of Insurance (DOI).

Proposed law retains present law and further requires DOI to have a dedicated location on the department's website to publish pharmacy benefit manager information, including the formulary and timely notification of formulary changes by each licensed pharmacy benefit manager.

Proposed law requires pharmacy benefit managers beginning June 1, 2020, to issue an annual transparency report that discloses aggregate data on rebates received from drug manufacturers, administrative fees, and aggregate rebates received that did not pass through to the health benefit plan or insurer. Further requires DOI to publish the transparency report within 60 days of receipt from the pharmacy benefit manager.

Proposed law requires a pharmaceutical drug manufacturer to notify the commissioner of insurance by electronic mail of any drug price increase of 50% or greater not more than 30 days after the price increase.

Proposed law provides for an exception to the Public Records Law.

Effective August 1, 2018.

(Amends R.S. 22:1657 and R.S. 44:4.1(B)(11); Adds R.S. 22:1657.1)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Removes provision that states that proposed law applies to pharmacy benefit managers participating in the Medicaid program.
2. Adds provision for notification when there is a drug price increase of 50% or greater.
3. Makes technical changes.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Insurance to the reengrossed bill:

1. Change the time period for reporting price increases from not less than 30 days prior to the increase to not more than 30 days after the increase.
2. Make technical changes.

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the reengrossed bill:

1. Change the due date of the first transparency report from Feb. 1, 2019, to June 1, 2020.
2. Change the deadline for DOI to publish a transparency report from 10 days after receipt to 60 days after receipt.
3. Remove provisions of proposed law that authorize the commissioner of insurance to enforce proposed law and provide for enforcement against the pharmacy benefit manager's license for failure to comply with proposed law.