

2020 Regular Session

HOUSE BILL NO. 459

BY REPRESENTATIVE STAGNI

INSURANCE/HEALTH: Provides for coverage of certain services and procedures performed by pharmacists

1 AN ACT

2 To enact Subpart C-2 of Part II of Chapter 6 of Title 22 of the Louisiana Revised Statutes  
3 of 1950, to be comprised of R.S. 22:1869, relative to reimbursement claims for  
4 pharmacy services; to require coverage of certain healthcare services and procedures  
5 performed by pharmacists; to provide for applicability; to define key terms; and to  
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Subpart C-2 of Part II of Chapter 6 of Title 22 of the Louisiana Revised  
9 Statutes of 1950, to be comprised of R.S. 22:1869, is hereby enacted to read as follows:

10 §1869. Reimbursement for healthcare services and procedures performed by  
11 pharmacists

12 A. A health coverage plan or the third-party administrator or pharmacy  
13 benefit manager of a health coverage plan shall not deny reimbursement to a  
14 pharmacist for a healthcare service or procedure provided within the scope of the  
15 pharmacist's license to practice pharmacy pursuant to the Louisiana Pharmacy  
16 Practice Act, R.S. 37:1161 et seq., if the service or procedure is both of the  
17 following:

18 (1) Covered by the health coverage plan when the healthcare service or  
19 procedure is provided by a physician, an advanced practice nurse, or a physician  
20 assistant.

1           (2) Performed by the pharmacist in strict compliance with the laws and rules  
2           related to the provision of the healthcare service or procedure and the pharmacist's  
3           license.

4           B. This Section shall not be construed to require a health coverage plan or  
5           a third-party administrator or pharmacy benefit manager to reimburse a pharmacist  
6           or pharmacy as an in-network or preferred provider.

7           C. The provisions of this Section shall apply to coverage under a group  
8           health coverage plan provided to a resident of this state regardless of whether the  
9           health coverage plan policy, contract, or other agreement is delivered, issued for  
10          delivery, or renewed in this state.

11          D. For purposes of this Section, the following definitions apply:

12          (1) "Health coverage plan" means any hospital, health, or medical expense  
13          insurance policy, hospital or medical service contract, employee welfare benefit plan,  
14          contract, or other agreement with a health maintenance organization or a preferred  
15          provider organization, health and accident insurance policy, or any other insurance  
16          contract of this type in this state, including a group insurance plan, a self-insurance  
17          plan, and the Office of Group Benefits programs. "Health coverage plan" shall not  
18          include a plan providing coverage for excepted benefits as defined in R.S. 22:1061,  
19          limited benefit health insurance plans, and short-term policies that have a term of  
20          less than twelve months.

21          (2) "Pharmacy benefit manager" has the same meaning as that term defined  
22          in R.S. 22:1641.

23          (3) "Third-party administrator" has the same meaning as that term defined  
24          in R.S. 22:1641.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

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HB 459 Original

2020 Regular Session

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**Abstract:** Requires reimbursement for certain healthcare services and procedures performed by pharmacists.

Proposed law prohibits a health coverage plan or the third-party administrator or pharmacy benefit manager of a health coverage plan from denying reimbursement to a pharmacist for a healthcare service or procedure provided within the scope of the pharmacist's license to practice pharmacy, if the service or procedure is both of the following:

- (1) Covered by the health coverage plan when the healthcare service or procedure is provided by a physician, an advanced practice nurse, or a physician assistant.
- (2) Performed by the pharmacist in strict compliance with the laws and rules related to the provision of the healthcare service or procedure and the pharmacist's license.

Proposed law applies to coverage under a group health coverage plan 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.

Proposed law defines "health coverage plan", "pharmacy benefit manager", and "third-party administrator".

(Adds R.S. 22:1869)