

2022 Regular Session

HOUSE BILL NO. 595

BY REPRESENTATIVE TURNER

INSURANCE/HEALTH: Modifies notice requirements relative to spread pricing and retainments of pharmacy benefit managers

1 AN ACT

2 To amend and reenact R.S. 22:1867(B)(2) and (4) and (C) and to enact R.S. 22:1867(D),  
3 relative to the required notice issued to policyholders with prescriptions affected by  
4 spread pricing; to require such notice to include additional information with respect  
5 to policyholders' copayments, funds retained by pharmacy benefit managers, and  
6 non-aggregate amounts of spread pricing charged by pharmacy benefit managers; to  
7 require notice issuance to additional benefit recipients; to provide for an effective  
8 date; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 22:1867(B)(2) and (4) and (C) are hereby amended and reenacted  
11 and R.S. 22:1867(D) is hereby enacted to read as follows:

12 §1867. Prohibition on spread pricing; notice exception

13 \* \* \*

14 B. ~~The~~ Notwithstanding any provision of law to the contrary, the notice  
15 issued by a pharmacy benefit manager, or a health insurance issuer where the health  
16 insurance issuer has agreed to issue the notice, that utilizes spread pricing shall be:

17 \* \* \*

18 (2) Delivered to the ~~policy holder~~ policyholder and include all of the  
19 following:

20 (a) The policyholder's copayment amount for a respective prescription.



payment received by the pharmacy benefit manager as a kickback from the issuer of the plan associated with the prescription, and any amount of funds shared between the pharmacy benefit manager and the plan associated with the prescription.

Present law requires the notice to indicate the aggregate amount of spread pricing charged by the pharmacy benefit manager during the period. Proposed law changes the amount indication from aggregate to non-aggregate. Otherwise retains present law.

Proposed law requires notice issuance to Medicare Advantage recipients and members participating in programs sponsored by the Office of Group Benefits.

Effective July 1, 2023.

(Amends R.S. 22:1867(B)(2) and (4) and (C); Adds R.S. 22:1867(D))