

2022 Regular Session

SENATE BILL NO. 83

BY SENATOR FRED MILLS

MEDICAID. Creates the Council on Medicaid Pharmacy Reimbursement. (8/1/22)

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AN ACT

To enact R.S. 46:460.37, relative to Medicaid pharmacy reimbursement; to provide for the Council on Medicaid Pharmacy Reimbursement; to provide for council membership; to provide for meetings; to provide for the duties and powers of the council; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:460.37 is hereby enacted to read as follows:

**§460.37. Council on Medicaid Pharmacy Reimbursement; creation; composition, purpose, and duties of the council**

**A. There is hereby created within the Louisiana Department of Health, the Council on Medicaid Pharmacy Reimbursement referred to in this Section as the "council".**

**B. The council shall be composed of the following members:**

**(1) The Medicaid director of the Louisiana Department of Health or his designee.**

**(2) The president of the Louisiana Pharmacists Association or his designee.**

1                   **(3) The president of the Louisiana Independent Pharmacies Association**  
2                   **or his designee.**

3                   **(4) A representative of the Louisiana Alliance of Retail Pharmacies**  
4                   **appointed by the executive director of the Louisiana Retailers Association.**

5                   **(5) The president of the National Association of Chain Drug Stores or**  
6                   **his designee.**

7                   **(6) One pharmacist appointed by the chairman of the Senate Committee**  
8                   **on Health and Welfare.**

9                   **(7) One pharmacist appointed by the chairman of the House Committee**  
10                  **on Health and Welfare.**

11                  **(8) Three licensed pharmacists appointed by the Louisiana Board of**  
12                  **Pharmacy who are not currently serving on the board. The board shall strive**  
13                  **to ensure its appointments demonstrate race, gender, ethnic, and geographical**  
14                  **diversity.**

15                  **C.(1) Members of the council provided for in Paragraphs (B)(1) through**  
16                  **(B)(5) of this Section shall serve a term commensurate with their tenure in the**  
17                  **qualifying office. Appointed members of the council provided for in Paragraphs**  
18                  **(B)(6) through (B)(8) of this Section shall serve at the pleasure of the appointing**  
19                  **authority. Designees of members shall serve at the pleasure of the designating**  
20                  **member not to exceed the term of the designating member.**

21                  **(2) Six members shall constitute a quorum for the transaction of all**  
22                  **business. The members shall elect a chairperson and vice chair whose duties**  
23                  **shall be established by the council. The member elected to serve as chairperson**  
24                  **shall fix a time and place for regular meetings of the council, which shall meet**  
25                  **at least quarterly. The council shall establish policies and procedures necessary**  
26                  **to carry out its duties.**

27                  **(3) Members of the council shall serve without compensation.**

28                  **(4) The secretary shall designate the appropriate staff to provide**  
29                  **support to the council and supply data regarding Medicaid pharmacy claims to**

1 inform the work of the council. All information provided to the council shall be  
 2 either redacted or reported in the aggregate to protect the confidentiality of the  
 3 information or to protect a person's reasonable right to privacy.

4 D. The council shall perform all of the following tasks:

5 (1) Review Medicaid pharmacy reimbursement data and trends.

6 (2) Provide a platform for pharmacists to submit ideas and express  
 7 concerns and a venue for public testimony on Medicaid reimbursements.

8 (3) Make recommendations to the secretary regarding needed changes  
 9 to Medicaid pharmacy reimbursement policies and procedures.

10 (4) Advise the secretary on alleged violations committed by Medicaid  
 11 managed care organizations, pharmacy benefit managers, or any other entity  
 12 that provides any service related to prescription drug administration or  
 13 benefits.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Brandi Cannon.

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DIGEST

SB 83 Engrossed

2022 Regular Session

Fred Mills

Proposed law provides for the Council on Medicaid Pharmacy Reimbursement within the La. Dept. of Health (LDH). Proposed law further provides for the membership of the council, terms of the members, meetings of the council, and the required quorum.

Proposed law provides for the following duties of the council:

- (1) Review Medicaid pharmacy reimbursement data and trends.
- (2) Provide a platform for pharmacists to submit ideas and express concerns and a venue for public testimony on Medicaid reimbursements.
- (3) Make recommendations to the secretary regarding needed changes to Medicaid pharmacy reimbursement policies and procedures.
- (4) Advise the secretary of LDH on alleged violations committed by Medicaid managed care organizations, pharmacy benefit managers, or any other entity that provides any service related to prescription drug administration or benefits.

Effective August 1, 2022.

(Adds R.S. 46:460.37)