2023 Regular Session

HOUSE BILL NO. 403

BY REPRESENTATIVE BROWN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

INSURANCE: Authorizes substitution of certain biosimilar biological products relative to step therapy or fail first protocols

AN ACT

To amend and reenact R.S. 22:1053(A)(2), relative to coverage of step therapy or fail first protocols; to authorize substitution of biosimilar biological products designated by the federal Food and Drug Administration; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1053(A)(2) is hereby amended and reenacted to read as follows:

§1053. Requirement for coverage of step therapy or fail first protocols

A.

* * *

(2) The provisions of this Section shall not be construed to prohibit the substitution of an AB-rated generic equivalent, biosimilar, or interchangeable biological product as designated by the federal Food and Drug Administration.

* * *

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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Abstract: Authorizes substitution of biosimilar biological products designated by the federal Food and Drug Administration (FDA).

Present law establishes certain requirements for implementation of step therapy or fail first protocols used by any health coverage plan.

Present law does not prohibit a health coverage plan's substitution of an AB-rated generic equivalent or interchangeable biological product as designated by the FDA.

Proposed law further adds that a health coverage plan is not prohibited from substituting a biosimilar biological product as designated by the FDA. Otherwise retains present law.

(Amends R.S. 22:1053(A)(2))