

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 401 by Senator Mills

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:1857.1" and before the comma "," insert "and 1964(26)"

AMENDMENT NO. 2

On page 1, line 3, after "pharmacies;" and before "and to" insert "to provide for requirements of organizations that negotiate with or represent certain pharmacies; to provide for unfair or deceptive acts and practices;"

AMENDMENT NO. 3

On page 1, line 5, delete "is" and insert in lieu thereof "and 1964(26) are"

AMENDMENT NO. 4

On page 1, line 7, after "**contrary,**" delete the remainder of the line and delete lines 8 and 9 in their entirety and insert in lieu thereof the following:

"an organization that negotiates with a pharmacy or pharmacies, and an organization that represents an independent pharmacy or a group of independent pharmacies, shall provide to each pharmacy that the organization represents a copy of any new contract, provider agreement, amendment to such contract or agreement, or other provider documentation concerning the pharmacy's network participation with a third party payor."

AMENDMENT NO. 5

On page 1, delete lines 10 through 14 in their entirety and insert in lieu thereof the following:

"B. In addition to the penalties provided in R.S. 22:1860, any violation of the provisions of Subsection A of this Section shall be deemed an unfair or deceptive act and practice pursuant to R.S. 22:1961 et seq. and shall be subject to the penalties provided therein."

* * *

§1964. Methods, acts, and practices which are defined as unfair or deceptive
The following are declared to be unfair methods of competition and unfair or deceptive acts or practices in the business of insurance:

* * *

(26) Failure by an organization that negotiates with a pharmacy or pharmacies, or an organization that represents an independent pharmacy or a group of independent pharmacies, to provide to a pharmacy a contract, agreement, or other documentation relative to the pharmacy's network participation with a third party payor as required in R.S. 22:1857.1."