

SENATE BILL NO. 401

BY SENATOR MILLS

AN ACT

To enact R.S. 22:1857.1 and 1964(26), relative to pharmacies; to provide with respect to third party contracts with pharmacies; to provide for requirements of organizations that negotiate with or represent certain pharmacies; to provide for unfair or deceptive acts and practices; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1857.1 and 1964(26) are hereby enacted to read as follows:

§1857.1. Third party contracts with pharmacies

A. Notwithstanding any provision of law to the contrary, 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.

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.

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§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:

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(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,

1 agreement, or other documentation relative to the pharmacy's network
2 participation with a third party payor as required in R.S. 22:1857.1.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____