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 DIGEST

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SB 444 Reengrossed

2024 Regular Session

Jackson-Andrews

Present law provides certain reimbursement requirements and prohibitions for pharmacy benefit managers or persons acting on behalf of a pharmacy benefit manager.

Proposed law prohibits pharmacy benefit managers or persons acting on behalf of pharmacy benefit managers from reimbursing a pharmacy or pharmacist in this state an amount less than the acquisition cost for any covered drug, device, or service. Proposed law applies to only a contracted pharmacist or pharmacy that does not own more than 5 shares or a 5% interest in a pharmaceutical wholesale group purchasing organization or vendor of any covered drug, device, or service.

Present law establishes an administrative appeal procedure for pharmacies to challenge reimbursement received from a pharmacy benefit manager and requires the pharmacy benefit manager to make certain information available to the commissioner of insurance (commissioner) upon request.

Proposed law requires the pharmacy benefit manager to provide to the commissioner the information necessary to resolve a complaint.

Proposed law does not apply to office of group benefits programs; however, proposed law requires the office of group benefits to report to the House and Senate Committees on Insurance concerning the matters of proposed law by Mar. 31, 2025.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 22:1865(E); Adds R.S. 22:1860.3(E))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Limit applicability of proposed law requiring a minimum reimbursement rate.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Insurance to the reengrossed bill:

1. Provide that proposed law does not apply to office of group benefits programs. Require the office of group benefits to report to the House and Senate Committees on Insurance by Mar. 31, 2025.
2. Make technical changes.