

2019 Regular Session

HOUSE BILL NO. 370

BY REPRESENTATIVES STOKES, ABRAHAM, ABRAMSON, ADAMS, AMEDEE, ARMES, BACALA, BAGLEY, BARRAS, BERTHELOT, BILLIOT, BISHOP, BRASS, TERRY BROWN, CARMODY, CARPENTER, GARY CARTER, ROBBY CARTER, STEVE CARTER, CHANEY, CONNICK, COUSSAN, COX, DEVILLIER, DUBUISSON, DUPLESSIS, EMERSON, FALCONER, FOIL, FRANKLIN, GAINES, GAROFALO, GISCLAIR, GUINN, JIMMY HARRIS, LANCE HARRIS, HENRY, HILFERTY, HILL, HOFFMANN, HORTON, HUVAL, JACKSON, JEFFERSON, MIKE JOHNSON, ROBERT JOHNSON, JONES, LACOMBE, TERRY LANDRY, LARVADAIN, LEBAS, LEGER, LEOPOLD, LYONS, MARCELLE, MARINO, MCMAHEN, MOORE, PEARSON, POPE, PUGH, PYLANT, RICHARD, SCHEXNAYDER, STAGNI, STEFANSKI, TALBOT, THOMAS, WHITE, AND ZERINGUE AND SENATORS ALARIO, APPEL, BARROW, BOUDREAUX, CHABERT, CORTEZ, DONAHUE, ERDEY, FANNIN, GATTI, HEWITT, JOHNS, LONG, LUNEAU, MARTINY, MILKOVICH, MILLS, MIZELL, MORRELL, PETERSON, GARY SMITH, JOHN SMITH, THOMPSON, WALSWORTH, AND WARD

1 AN ACT

2 To amend and reenact R.S. 22:1053(A) and (D) and to enact R.S. 22:1053(E), (F), and (G),
3 relative to prescription drug benefits for persons with stage-four advanced, metastatic
4 cancer; to prohibit denial of a prescription based upon step therapy or fail first
5 protocols; to provide for an exception; to require notification of prescriptions for
6 associated conditions; to define key terms; to provide for an effective date; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 22:1053(A) and (D) are hereby amended and reenacted and R.S.
10 22:1053(E), (F), and (G) are hereby enacted to read as follows:

11 §1053. Requirement for coverage of step therapy or fail first protocols

12 A. ~~Notwithstanding the provisions of R.S. 22:1047 to the contrary, any~~ Any
13 health ~~care~~ coverage plan specified in Subsection ~~D~~ G of this Section which includes
14 prescription benefits as part of its policy or contract, which utilizes step therapy or
15 fail first protocols, and which is issued for delivery, delivered, renewed, or otherwise

1 (2) As used in this Section, "stage-four advanced, metastatic cancer" means
2 cancer that has spread from the lymph nodes or other areas or parts of the body.

3 (3) As used in this Section, "associated conditions" means the symptoms or
4 side effects associated with stage-four advanced, metastatic cancer or its treatment.

5 Section 2. This Act shall become effective upon signature by the governor or, if not
6 signed by the governor, upon expiration of the time for bills to become law without signature
7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
9 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____