

2022 Regular Session

SENATE BILL NO. 82

BY SENATOR FRED MILLS

MEDICAID. Provides relative to Medicaid reimbursement for pharmacy services. (8/1/22)

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AN ACT

To enact R.S. 46:460.32, relative to Medicaid reimbursement for pharmacy services; to provide for enhanced reimbursements using drug rebates; to provide for a state plan amendment; to provide for rulemaking; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:460.32 is hereby enacted to read as follows:

§460.32. Medical assistance programs; pharmacy reimbursement

A. The department shall adopt rules and regulations in accordance with the Administrative Procedure Act to enhance reimbursement for services rendered by pharmacists and pharmacies using funds paid to the state in the form of a prescription drug rebate through the Medicaid drug rebate program.

B. Notwithstanding any law to the contrary, by January 1, 2023, the department shall file a state plan amendment with the Centers for Medicare and Medicaid Services to provide that a pharmacist or pharmacy shall be eligible for enhanced reimbursement which equals or approximates one hundred percent of the appropriate reasonable cost of providing pharmacy

1 services, including but not limited to the actual acquisition cost of drugs and
2 devices.

3 C. On an expedited basis, the department shall take all steps necessary
4 to obtain approval for the state plan amendment and shall, immediately upon
5 notification of approval, promulgate an emergency rule to implement the state
6 plan amendment.

7 D. The enhanced pharmacy reimbursements shall be effective for
8 prescriptions filled on or after July 1, 2023, as permitted by federal law.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Brandi Cannon.

DIGEST

SB 82 Engrossed

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Fred Mills

Present law provides for the payment of pharmacy claims in the Louisiana Medicaid program.

Proposed law retains present law and provides for the La. Dept. of Health (LDH) to adopt rules and regulations to enhance reimbursement for services rendered by pharmacists and pharmacies using funds paid to the state in the form of a prescription drug rebate through the Medicaid drug rebate program. Proposed law further provides for LDH to file a state plan amendment to provide that a pharmacist or pharmacy shall be eligible for enhanced reimbursement which equals or approximates 100% of the appropriate reasonable cost of providing pharmacy services.

The enhanced pharmacy reimbursements in proposed law shall be effective for prescriptions filled on or after July 1, 2023, as permitted by federal law.

Effective August 1, 2022.

(Adds R.S. 46:460.32)