
SENATE FLOOR AMENDMENTS

2019 Regular Session

Amendments proposed by Senator Morrish to Engrossed Senate Bill No. 164 by Senator Morrish

1 AMENDMENT NO. 1

2 On page 1, line 1, after "1053" delete the remainder of the line and insert: "(A) and (D) and
3 R.S. 44:4.1(B)(11) and R.S."

4 AMENDMENT NO. 2

5 On page 1, line 4, at the beginning of the line, delete "enact R.S. 22:1053(E) and (F)" and
6 insert "(B)(4) and (5) and (E),"

7 AMENDMENT NO. 3

8 On page 2, between lines 23 and 24, insert the following:

9 "A. Notwithstanding the provisions of R.S. 22:1047 to the contrary, any health care coverage
10 plan specific in Subsection ~~D~~-E of this Section which includes prescription benefits as part
11 of its policy or contract, which utilizes step therapy or fail first protocols, and which is
12 issued for delivery, delivered, renewed, or otherwise contracted for in this state on or after
13 January 1, 2011, shall comply with the provisions of the Section.

14 B. When medications for the treatment of any medical condition are restricted for use by an
15 insurer by a step therapy or fail first protocol, the prescribing physician shall have access to
16 a clear and convenient process to expeditiously request an override of such restriction from
17 the insurer. An override of such restriction shall be expeditiously granted by the insurer
18 under any of the following circumstances:

19 * * *

20 **(4) The prescribing physician can demonstrate to the health coverage plan that the**
21 **preferred treatment required under the step therapy or fail first protocol was**
22 **discontinued due to lack of efficacy or effectiveness, diminished effect, or an adverse**
23 **event.**

24 **(5) The prescribing physician can demonstrate to the health coverage plan, the criteria**
25 **set forth in Paragraph (B)(1) through (4) have been satisfied under the insured's**
26 **current or previous health coverage plan in the treatment of the insured's disease or**
27 **medical condition.**

28 AMENDMENT NO. 4

29 On page 2, delete lines 25-29.

30 AMENDMENT NO. 5

31 On page 3, delete lines 1-4

32 AMENDMENT NO. 6

33 On page 3, line 5, change "E." to "D."

34 AMENDMENT NO. 7

35 On page 3, line 11, change "F." to "E."