

2015 Regular Session

HOUSE BILL NO. 436

BY REPRESENTATIVE ROBERT JOHNSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

INSURANCE/HEALTH: Provides for insurance reimbursement of certain provider fees paid by pharmacies

1 AN ACT

2 To amend and reenact R.S. 46:2625(A)(1)(c),(d), (e) and (2), relative to reimbursement of
3 provider fees remitted to the Department of Health and Hospitals; to provide for an
4 increase in the out-patient per prescription fee paid for Medicaid; to provide that
5 health insurance issuers reimburse pharmacies or pharmacists for payment of the fee;
6 to provide that payors administering health benefits and licensed by the Louisiana
7 Board of Pharmacy are responsible for remitting payment fees directly to the
8 Department of Health and Hospitals; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 46:2625(A)(1)(c), (d), (e) and (2) are hereby amended and reenacted
11 to read as follows:

12 §2625. Fees on health care providers; disposition of fees

13 A.(1) The Department of Health and Hospitals is hereby authorized to adopt
14 and impose fees for healthcare services provided by the Medicaid program on every
15 nursing facility, every intermediate care facility for people with developmental
16 disabilities, every pharmacy in the state of Louisiana and certain out-of-state
17 pharmacies, dispensing physicians, and medical transportation providers. The
18 amount of any fee shall not exceed the total cost to the state of providing the

1 healthcare service subject to such fee. In addition, the amount of the fees imposed
2 under the rules and regulations adopted shall not exceed the following:

3 * * *

4 (c) ~~Fer~~ Twenty cents per out-patient prescription.

5 (d) ~~Fer~~ Twenty cents per out-patient out-of-state prescription.

6 (e) ~~Fer~~ Twenty cents per out-patient prescription dispensed by dispensing
7 physicians.

8 * * *

9 (2)(a) Any fee authorized by and imposed pursuant to this Section shall be
10 considered an allowable cost for purposes of insurance or other third party
11 reimbursements and shall be included in the establishment of reimbursement rates.

12 (b) Every contract between a pharmacy or pharmacist or his agent and a
13 health insurance issuer or its agent shall include provisions requiring the health
14 insurance issuer or its agent to reimburse the pharmacy or pharmacist or his agent
15 for payment of the fee authorized by Subparagraph A(1)(c) of this Section, provided
16 that the pharmacy or pharmacist or his agent makes a claim for reimbursement of the
17 fee. Reimbursement shall be done at the time and in the manner by which the
18 pharmacy or pharmacist or his agent receives reimbursement as required by the
19 Louisiana Insurance Code. Any contract that does not include such provisions shall
20 nonetheless be interpreted and enforced to comply with this Section.

21 (c) Notwithstanding any provision of law or regulation to the contrary, any
22 payor administering health benefits and licensed by the Louisiana Board of
23 Pharmacy shall be responsible for the payment of any fee authorized by and imposed
24 pursuant to this Section and shall remit such payment directly to the Department of
25 Health and Hospitals.

26 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 436 Original

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Robert Johnson

Abstract: Increases the maximum fee that may be imposed by the Dept. of Health and Hospitals for prescription services provided by the Medicaid program to \$0.20 per prescription, and requires health insurance issuers to reimburse the pharmacy or pharmacist for payment of the fee when the pharmacy or pharmacist makes a claim for reimbursement of the fee.

Present law allows for the Dept. of Health and Hospitals to impose a fee of up to \$0.10 per prescription for prescription services provided by the Medicaid program.

Proposed law increases the maximum fee to \$0.20 per prescription.

Proposed law requires health insurance issuers to reimburse pharmacies or pharmacists for the payment of the fee when the pharmacy or pharmacist makes a claim for reimbursement of the fee.

Proposed law makes any payor administering health benefits and licensed by the Louisiana Board of Pharmacy responsible for the payment of the fees to the Dept. of Health and Hospitals.

(Amends R.S. 46:2625(A)(1)(c), (d), (e) and (2))