

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)(2), relative to reimbursement of provider fees
3 remitted to the Department of Health and Hospitals; to provide that health insurance
4 issuers reimburse pharmacies or pharmacists for payment of the fee; to provide for
5 scope of application with respect to the medical assistance program; to provide for
6 unfair trade practices; to provide for authority of the commissioner of insurance; and
7 to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 46:2625(A)(2) is hereby amended and reenacted to read as follows:

10 §2625. Fees on health care providers; disposition of fees

11 A.

12 * * *

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

16 (b) Every contract between a pharmacy or pharmacist or his agent and a
17 health insurance issuer or its agent shall include provisions requiring the health
18 insurance issuer or its agent to reimburse the pharmacy or pharmacist or his agent

Proposed law retains present law and 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 shall have no effect to the extent that any sums otherwise certifiable by the state as a component of its share of expenditures in the medical assistance program cannot be certified.

Proposed law provides that failure to reimburse a pharmacist or his agent is an unfair or deceptive trade practice subject to the enforcement authority of the commissioner of insurance, and otherwise enforceable by appropriate regulatory authorities.

(Amends R.S. 46:2625(A)(2))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Make technical changes.
2. Remove the fee increases.
3. Remove the provision regarding the responsibility for payment of the fees to the Dept. of Health and Hospitals.
4. Change the payment procedure from the time and manner required by the La. Insurance Code to not later than the 15th day after the date on which the claim was electronically adjudicated.
5. Add a provision prohibiting the enforcement of proposed law if any part of the state share of funding for the medical assistance program cannot be certified.
6. Add a provision deeming the failure to reimburse the fee to be an unfair or deceptive trade practice subject to the enforcement authority of the commissioner of insurance.