

2016 Regular Session

SENATE BILL NO. 258

BY SENATOR LUNEAU

HEALTH/ACC INSURANCE. Provides for coverage for refills for prescription eye drops.
(8/1/16)

1 AN ACT

2 To enact R.S. 22:997.1, relative to the refilling of topical ophthalmic prescriptions; to
3 require coverage for refills under certain circumstances; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 22:997.1 is hereby enacted to read as follows:

7 **§997.1. Topical ophthalmic prescriptions; coverage for refills**

8 **A. Any health, hospital, or medical expense insurance policy, hospital or**
9 **medical service contract, employee welfare benefit plan, health and accident**
10 **insurance policy, or any other insurance contract of this type, including a group**
11 **insurance plan, and a self-insurance plan that provides medical and surgical**
12 **benefits, which is delivered, issued for delivery, or renewed in this state on or**
13 **after January 1, 2017, that provides coverage for topical ophthalmic**
14 **prescriptions, shall not deny coverage for refills under the following**
15 **circumstances:**

16 **(1) The refill is requested by the insured for a thirty-day supply, between**
17 **twenty-three and thirty days from the later of either:**

1 (a) The original date the prescription was distributed to the insured.

2 (b) The date the most recent refill was distributed to the insured.

3 (2) For a sixty day supply, between forty-six and sixty days from the later
4 of either:

5 (a) The original date the prescription was distributed to the insured.

6 (b) The date the most recent refill was distributed to the insured.

7 (3) For a ninety day supply, between sixty-nine and ninety days from the
8 later of either:

9 (a) The original date the prescription was distributed to the insured.

10 (b) The date the most recent refill was distributed to the insured.

11 B. The prescriber shall indicate on the original prescription that
12 additional quantities are necessary. However, the original prescription shall not
13 exceed the number of additional quantities necessary for treatment of the
14 medical condition for which the original prescription was issued.

15 C. The provisions of this Section shall, to the extent practicable, be
16 limited in quantity so as not to exceed the remaining dosage initially approved
17 for coverage, provided that such limited refilling shall not limit or restrict
18 coverage with regard to any previously or subsequently approved topical
19 ophthalmic prescription and shall be subject to the terms and conditions of the
20 insurance plan otherwise applicable to this coverage.

The original instrument was prepared by Cheryl Cooper. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

DIGEST

SB 258 Reengrossed

2016 Regular Session

Luneau

Proposed law requires that any health insurance plan or policy issued or renewed in this state on or after January 1, 2017 provide coverage for the costs of refilling a topical ophthalmic prescription. Prohibits denial of a refill request under the following circumstances:

1. The refill for a 30 day supply is requested between 23 and 30 days from the original date the prescription was distributed to the insured or the date the most recent refill was distributed to the insured, whichever is later.
2. The refill for a 60 day supply is requested between 46 and 60 days from the original date the prescription was distributed to the insured or the date the most recent refill

was distributed to the insured, whichever is later.

3. The refill for a 90 day supply is requested between 69 and 90 days from the original date the prescription was distributed to the insured or the date the most recent refill was distributed to the insured, whichever is later.

Proposed law requires the prescriber to indicate on the original prescription that additional quantities are necessary and provides that the original prescription not exceed the number of additional quantities necessary for treatment.

Proposed law limits the refills to a quantity not to exceed the remaining dosage initially approved for coverage, provided the limited refills do not limit or restrict coverage with regard to any previously or subsequently approved topical ophthalmic prescription.

Effective August 1, 2016.

(Adds R.S. 22:997.1)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Provides that required coverage for refills coverage applies to policies issued or renewed on or after January 1, 2017 instead of August 1, 2016.
2. Reduces time during which refills can occur for 30, 60, and 90 supply of the prescription.