

SENATE BILL NO. 545

BY SENATOR MILLS AND REPRESENTATIVES BARROW, BILLIOT, BROADWATER, BROWN, TIM BURNS, BURRELL, GUILLORY, HAVARD, KATRINA JACKSON, NANCY LANDRY, TERRY LANDRY, NORTON, ORTEGO, PONTI, ROBIDEAUX AND PATRICK WILLIAMS

1 AN ACT

2 To amend and reenact R.S. 22:1007(I) and to enact R.S. 22:1007(J), relative to substitution
3 of medications; to provide for requirements of provider contracts; to provide for an
4 effective date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 22:1007(I) is hereby amended and reenacted, and R.S. 22:1007(J)
7 is hereby enacted to read as follows:

8 §1007. Requirements of provider contracts; communications

9 * * *

10 **I. Notwithstanding any provision of law to the contrary, any contract or**
11 **agreement between a managed care organization and a health care provider**
12 **shall include provisions that establish the reimbursement of a health care**
13 **provider in an instance in which the managed care organization requests or**
14 **requires substitution of a medication for an enrollee and the provider has**
15 **executed the requested or required substitution. The provisions of this Section**
16 **shall not apply to generic substitution or step therapy programs utilized by the**
17 **managed care organization or its delegated entity that promote generic drugs**
18 **as a first-line therapy.**

19 ~~I.J.~~ Any contract provision, written policy, or written procedure in violation

1 of this Section shall be deemed to be unenforceable and null and void.

2 Section 2. This Act shall become effective on January 1, 2015.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____