
HOUSE COMMITTEE AMENDMENTS

2025 Regular Session

Amendments proposed by House Committee on Insurance to Original House Bill No. 264
by Representative Echols

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" delete the remainder of the line and delete lines 3 through
3 5 in their entirety and insert in lieu thereof "R.S. 22:1657.1(A) and (B)(introductory
4 paragraph) and (4) and to enact R.S. 22:1657.1(D), relative to pharmacy benefit managers;
5 to modify the definition of rebates; to authorize the commissioner of insurance's examination
6 of records; and to provide for related matters."

7 AMENDMENT NO. 2

8 On page 1, delete lines 7 through 19 in their entirety and insert in lieu thereof the following:

9 "Section 1. R.S. 22:1657.1(A) and (B)(introductory paragraph) and (4) are hereby
10 amended and reenacted and R.S. 22:1657.1(D) is hereby enacted to read as follows:

11 §1657.1. Pharmacy benefit manager rebate transparency report; examination by
12 commissioner

13 A. Each pharmacy benefit manager licensed by the commissioner of
14 ~~insurance~~ shall submit an annual transparency report as a condition of maintaining
15 licensure.

16 B. As used in this Section, the following definitions ~~shall~~ apply:

17 * * *

18 (4) "Rebates" ~~means all rebates, discounts, and other price concessions, based~~
19 ~~on utilization of a prescription drug and paid by the manufacturer or other party other~~
20 ~~than an enrollee, directly or indirectly, to the pharmacy benefit manager after the~~
21 ~~claim has been adjudicated at the pharmacy. Rebates shall include a reasonable~~
22 ~~estimate of any volume-based discount or other discounts~~ mean all negotiated price
23 concessions including but not limited to base price concessions and performance-
24 based concessions that may accrue directly from a manufacturer to a health insurance
25 issuer, plan, or other party on behalf of the health insurance issuer or plan, including
26 a pharmacy benefit manager, during the coverage year.

27 * * *

28 D.(1) The commissioner may examine the relevant books or records of a
29 pharmacy benefit manager to determine the accuracy of a transparency report and the
30 individual amount paid by a health insurance issuer to the pharmacy benefit manager
31 for drugs, devices, or services provided by a pharmacist or pharmacy. If the
32 pharmacy benefit manager and the commissioner disagree regarding the relevance
33 of a document, the pharmacy benefit manager may appeal to the division of
34 administrative law for a determination.

35 (2) This Section does not limit the power of the commissioner to examine or
36 audit the relevant books or records of a pharmacy benefit manager."