

2026 Regular Session

HOUSE BILL NO. 919

BY REPRESENTATIVE ECHOLS

INSURANCE/HEALTH: Provides relative to pharmacy benefit managers

1 AN ACT

2 To amend and reenact R.S. 40:2864 and to enact R.S. 22:1868(D) and (E) and 1870(B)(1)(i),  
3 relative to pharmacy benefit managers reimbursement protections; to provide for  
4 pharmacy benefit managers ownership prohibition; to provide for required  
5 information; to provide for violation penalties; to provide for prospective and  
6 retroactive application; to provide effective dates; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:1868(D) and (E) and 1870(B)(1)(i) are hereby enacted to read as  
9 follows:

10 §1868. Local pharmacy reimbursement; National Average Drug Acquisition Costs;  
11 appeals

12 \* \* \*

13 D. A pharmacy benefit manager, in this state, shall reimburse under-  
14 reimbursed dispensing fees to licensed pharmacies and pharmacists that are not a  
15 pharmacy benefit manager owned company, subsidiary, affiliate, or other related  
16 entity.

17 (1) A pharmacy benefit manager, in this state, shall bear all costs associated  
18 with the reimbursement of under-reimbursed dispensing fees. These costs shall not  
19 be assigned to plans, members, pharmacies, nor pharmacists.

20 (2) A pharmacy benefit manager shall not reimburse any pharmacy located  
21 in this state:





1           (2) A pharmacy benefit manager that derives any payment or benefit for the  
2           dispensation of prescription drugs within this state based on volume of sales for  
3           certain prescription drugs or classes or brands of drugs within this state shall pass  
4           that payment or benefit on in full to the covered entity.

5           (3) A pharmacy benefits manager shall disclose to the covered entity all  
6           financial terms and arrangements for remuneration of any kind that apply between  
7           the pharmacy benefits manager and any prescription drug manufacturer or labeler,  
8           including, without limitation, formulary management and drug-switch programs,  
9           educational support, claims processing, and pharmacy network fees that are charged  
10          from retail pharmacies and data sales fees.

11          (a) A pharmacy benefits manager providing information in accordance with  
12          this Paragraph may designate that material as confidential. Information designated  
13          as confidential by a pharmacy benefits manager and provided to a covered entity in  
14          accordance with this Paragraph may not be disclosed by the covered entity to any  
15          person without the consent of the pharmacy benefits manager, except that disclosure  
16          may be ordered by a court of this state for good cause shown or made in a court  
17          filing under seal unless or until otherwise ordered by a court.

18          (b) Nothing in this Paragraph limits the attorney general's use of civil  
19          investigative demand authority in accordance with the Louisiana Unfair Trade  
20          Practices Act to investigate violations of this Section.

21           C. Failure of a pharmacy benefit manager to satisfy the duties established in  
22           this Section shall ~~not create a separate or independent cause of action nor shall it be~~  
23           ~~construed to prohibit any cause of action established by or recognized in federal or~~  
24           ~~state law~~ be a violation of the Louisiana Unfair Trade Practices Act, for which a fine  
25           of not more than ten thousand dollars may be adjudged.

26           Section 3. (A.) The provisions of Sections 1 and 2 of this Act shall be given  
27           prospective and retroactive application.

28           (B.) Sections 1 and 2 of this Act shall be retroactive for the calendar year, January  
29           1, 2025 through December 1, 2025.

1 (C.) Sections 3 and 4 of this Act shall become effective on January 1, 2027.  
 2 Section 4. If any provision of this Act or the application thereof is held invalid, such  
 3 invalidity shall not affect other provisions or applications of this Act which can be given  
 4 effect without the invalid provisions or applications, and to this end the provisions of this  
 5 Act are hereby declared severable.

---

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 919 Engrossed

2026 Regular Session

Echols

**Abstract:** Requires pharmacy benefit managers (PBMs) to take certain actions.

Present law provides for a PBM rebate retention restrictions and fee disclosures.

Proposed law requires PBMs to reimburse independent pharmacies and pharmacists for under-reimbursed dispensing fees.

Proposed law mandates that PBMs bear all costs of reimbursements and prohibits passing those costs to plans, members, pharmacies, or pharmacists.

Proposed law prohibits reimbursement below the most recent National Average Drug Acquisition Cost (NADAC) plus the state dispensing fee, or wholesale acquisition cost plus the state dispensing fee when NADAC is unavailable.

Proposed law establishes a minimum professional dispensing fee that shall be reimbursed to independent pharmacies with physical locations in this state.

Proposed law imposes criminal penalties, including fines and imprisonment, on PBM personnel who knowingly under-reimburse, submit false reports, or deceive regulators.

Proposed law removes caps on damages and establishes unlimited liability for large PBMs with revenues exceeding five hundred million dollars.

Present law requires annual transparency reports from PBMs.

Proposed law requires PBMs to disclose foreign subsidiaries as part of the transparency report required by present law.

Present law requires PBMs to owe beneficiaries and contracted entities duties of good faith, honesty, trust, confidence, and candor.

Proposed law establishes a fiduciary duty requiring PBMs to act in good faith, with honesty, and in the best interests of beneficiaries and contracted entities.

Proposed law adds that pharmacy benefit managers owe a fiduciary duty to beneficiaries and shall discharge the fiduciary duty in accordance with present law.

Present law requires PBMs to perform their duties with a high degree of care, skill, prudence, and diligence consistent with experienced and reasonable industry standards.

Proposed law adds that PBMs are required to perform their duties as fiduciaries in a similar manner to other large enterprises.

Proposed law requires PBMs to disclose conflicts of interest to beneficiaries and contracted entities.

Proposed law requires PBMs to pass through any volume-based payments or benefits received from drug sales to covered entities.

Proposed law mandates full disclosure of all financial arrangements with drug manufacturers including fees, rebates, and pricing programs subject to confidentiality protections.

Present law provides that failure to meet these duties does not create a separate cause of action but does not limit other remedies available under state or federal law.

Proposed law modifies present law authorizing a cause of action for failing to satisfy the duties of present law and proposed law including fines up to \$10,000 for violations.

(Amends R.S. 40:2864; Adds R.S. 22:1868(D) and (E) and 1870(B)(1)(i))

#### Summary of Amendments Adopted by House

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

1. Clarify that if a pharmacy benefit manager fails to fulfill its duties, an entity may have a cause of action against the pharmacy benefit manager.
2. Remove prohibition on pharmacy benefit manager-owned pharmacies.
3. Provide that a pharmacy benefit manager shall reimburse an independent pharmacy with a physical location no less than \$12 as a professional dispensing fee.
4. Make technical changes.