

RÉSUMÉ DIGEST

ACT 423 (SB 29)

2018 Regular Session

Mills

Prior law required individual health insurance issuers licensed by the Department of Insurance (DOI) to use a standardized prescription drug prior authorization form. The form must be submitted to the DOI and kept on file with their office.

Prior law required Medicaid managed care organizations that contract with the La. Department of Health (LDH) to use a standard form, in addition to other forms, for prescription drug prior authorization.

New law prohibits an insurer or pharmacy benefit manager from requiring any license, accreditation, affiliation, or registration other than those required by federal or state government. Requires that any contract provision in conflict with new law is severable from the contract and is to be considered null and void, and not enforceable in this state. Authorizes the attorney general to enforce new law if an insurer or pharmacy benefit manager denies the jurisdiction, regulatory, or licensing authority of the DOI.

New law requires the La. Board of Pharmacy and the La. State Board of Medical Examiners to develop a single uniform prescription drug prior authorization form for all health insurance issuers, Medicaid managed care organizations, and their respective pharmacy benefit managers. New law provides that the single uniform prescription drug prior authorization form does not apply to specialty drugs or in cases where electronic prescriptions are utilized.

New law provides that the La. Board of Pharmacy and the La. State Board of Medical Examiners may consult with the health insurance issuers, Medicaid managed care organizations, LDH, and DOI as necessary in developing the form.

New law authorizes the DOI, under their regulatory authority in Title 22 and the LDH pursuant to its contracts with Medicaid managed care organizations to impose sanctions for failure to comply with the requirement of using only the single uniform prescription drug prior authorization form.

New law implements use of the single uniform prescription drug prior authorization form on and after January 1, 2019.

Effective upon signature of the governor (May 23, 2018), except provisions as to prior authorization form requirements are to be effective January 1, 2019.

(Amends R.S. 22:1006.1(A)(4) and (B) and R.S. 46:460.33; adds R.S. 22:1006.1(C), (D), and (E) and 1651(J))