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 DIGEST
 

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SB 99 Engrossed

2022 Regular Session

Fred Mills

Present law authorizes a pharmacy benefit manager (PBM) to obtain and maintain a permit from the La. Board of Pharmacy (board) if the PBM administers, develops, maintains, performs, or provides one or more enumerated pharmacy services in La. or that affects one or more beneficiaries of a pharmacy benefit management plan administered by the PBM.

Proposed law revises present law to require, rather than authorize, any PBM meeting the conditions of present law to obtain a permit from the board.

Proposed law authorizes a PBM to file for a hearing before the division of administrative law upon notice from the board of the board's intention to take certain adverse or disciplinary actions against the PBM. Provides for appeals of decisions resulting from such hearings.

Proposed law provides that nothing therein shall be construed to prevent a PBM from proceeding with a hearing before the board as authorized in present law relative to administrative procedure (R.S. 49:950 et seq.).

Proposed law provides that nothing therein shall be construed to prevent the board from taking any other action authorized by present law or present administrative rule that would not result in suspension or termination of the PBM's permit.

(Amends R.S. 37:1256(B) and R.S. 40:2868(A)(intro. para.); Adds R.S. 37:1256(C) and R.S. 40:2868(C))

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Amends parallel provision in Title 37.
2. Makes technical changes.

#### Summary of Amendments Adopted by House

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

1. Authorize a PBM to file for a hearing before the division of administrative law upon notice from the La. Board of Pharmacy of the board's intention to take certain adverse or disciplinary actions against the PBM; provide for appeals of decisions resulting from such hearings.
2. Provide that nothing in proposed law shall be construed to prevent a PBM from proceeding with a hearing before the La. Board of Pharmacy as authorized in present law relative to administrative procedure (R.S. 49:950 et seq.).
3. Provide that nothing in proposed law shall be construed to prevent the La. Board of Pharmacy from taking any other action authorized by present law or present administrative rule that would not result in suspension or termination of the PBM's permit.