

2023 Regular Session

HOUSE BILL NO. 629

BY REPRESENTATIVE BEAULLIEU

TAX/SALES-USE, LOCAL-EXEM: Exempts from local sales and use taxes certain prescription drugs administered by topical system in medical clinics

1 AN ACT

2 To amend and reenact R.S. 47:305.76(A) and 337.9(D)(33) and to enact R.S.  
3 47:305.76(B)(47), relative to exemptions from local sales and use taxes; to provide  
4 a local sales and use tax exemption for the procurement and administration in  
5 medical clinics of certain prescription drugs administered by topical system; to  
6 provide for applicability of the exemption; to provide for effectiveness; and to  
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 47:305.76(A) and 337.9(D)(33) are hereby amended and reenacted  
10 and R.S. 47:305.76(B)(47) is hereby enacted to read as follows:

11 §305.76. Exemption; infused or injected prescription drugs for treating certain  
12 diseases and conditions

13 A. The tax imposed by the political subdivisions of the state shall not apply  
14 to the procurement and administration of prescription drugs used exclusively by the  
15 patient in his medical treatment when administered exclusively to the patient by a  
16 physician, nurse, or other health care professional by infusion, topical system, or  
17 injection in a medical clinic where patients are not regularly kept as bed patients for  
18 twenty-four hours or more. For purposes of this Section, the term "medical clinic"  
19 shall mean a facility used for the reception and care of persons who are sick,  
20 wounded, or infirm and used for the treatment of the diseases and conditions set forth

1 in Subsection B of this Section or an outpatient facility licensed to administer drugs  
2 for the treatment of the diseases and conditions set forth in Subsection B of this  
3 Section.

4 B. The exemption provided for in Subsection A of this Section shall apply  
5 only to prescription drugs that are prescribed for the treatment of the following  
6 diseases and conditions:

7 \* \* \*

8 (47) Neuropathic pain.

9 \* \* \*

10 §337.9. Exemptions applicable to local tax in Chapters 2, 2-A, and 2-B; other  
11 exemptions applicable

12 \* \* \*

13 D.

14 \* \* \*

15 (33) R.S. 47:305.76, "key words": infused, topical system, or injected  
16 prescription drugs for treating certain diseases and conditions.

17 \* \* \*

18 Section 2. This Act shall become effective on July 1, 2023; if vetoed by the governor  
19 and subsequently approved by the legislature, this Act shall become effective on July 1,  
20 2023, or on the day following such approval by the legislature, whichever is later.

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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)]

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HB 629 Engrossed

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Beaulieu

**Abstract:** Provides a local sales and use tax exemption for the procurement and administration in medical clinics of prescription drugs administered by topical system.

Present law establishes an exemption from local sales and use taxes for the procurement and administration of prescription drugs administered in medical clinics by infusion or injection. Stipulates that the exemption shall apply only to drugs that are prescribed for the treatment of one or more diseases and conditions specified in present law.

Proposed law retains the exemption established in present law and expands it to drugs administered by topical system in medical clinics.

Proposed law retains the list of diseases and conditions specified in present law for which drugs shall be prescribed in order to qualify for the exemption and adds to the list neuropathic pain.

Effective July 1, 2023.

(Amends R.S. 47:305.76(A) and 337.9(D)(33); Adds R.S. 47:305.76(B)(47))