

---

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Brandi Cannon.

---

DIGEST

SB 148 Original

2024 Regular Session

Mizell

Present law provides certain requirements for implementation of step therapy or fail first protocols used by any commercial health coverage plan.

Proposed law retains present law and further prohibits a commercial health coverage plan from using step therapy or fail first protocols as the basis to restrict any prescription benefit for a drug approved by the U.S. Food and Drug Administration (FDA) for the treatment of postpartum depression. Proposed law does not apply if the preferred drug or drug regimen is considered clinically equivalent for therapy, contains the identical active ingredient or ingredients, and is proven to have the same efficacy.

Proposed law requires any commercial health coverage plan issued for delivery, delivered, renewed, or otherwise contracted for in this state to include coverage of screenings for postpartum depression or related mental health disorders as required by present law.

Proposed law applies to any new policy, contract, program, or health coverage plan issued on or after Jan. 1, 2025, and requires any policy, contract, or health coverage plan in effect prior to Jan. 1, 2025, to convert to conform to the provisions of proposed law on or before the renewal date, but no later than Jan. 1, 2026.

Present law requires all hospitals and birthing centers that provide labor and delivery services to provide pregnant women and their family members information about perinatal mood and anxiety disorders. Present law requires the La. Department of Health to make the information available to hospitals and birthing centers, including on the department's website.

Proposed law retains present law and further requires any healthcare provider who provides postnatal care or pediatric infant care services to make available the information to any woman who presents with signs of a maternal mental health disorder, including but not limited to postpartum depression.

Present law provides certain requirements for implementation of step therapy or fail first protocols used by any managed care organization participating in the Louisiana Medicaid program.

Proposed law retains present law and further prohibits a Medicaid managed care organization from using step therapy or fail first protocols as the basis to restrict any prescription benefit for a drug approved by the FDA for the treatment of postpartum depression. Proposed law does not apply if the preferred drug or drug regimen is considered clinically equivalent for therapy, contains the identical active ingredient or ingredients, and is proven to have the same efficacy.

Proposed law provides that the screenings for postpartum depression or related mental health

disorders required in present law shall be a covered service in the Louisiana Medicaid program.

Proposed law requires the La. Department of Health to take all actions necessary to make the coverage required by proposed law available to all persons eligible for such coverage on or before Jan. 1, 2025.

Effective August 1, 2024.

(Amends R.S. 22:1053(K) and (L) and R.S. 40:1123.2; adds R.S. 22:1053(M) and 1059.4 and R.S. 46:460.34(D) and 974.1)