

2024 Regular Session

SENATE BILL NO. 224

BY SENATOR OWEN

PHARMACEUTICALS. Provides relative to opioid alternatives. (8/1/24)

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AN ACT

To enact R.S. 46:153.3.2, relative to opioid alternatives; to provide relative to coverage for nonopioid and opioid prescription drugs by Medicaid managed care organizations; to provide for duties of the Louisiana Department of Health; to require the department to support certain programs that promote opioid alternatives; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:153.3.2 is hereby enacted to read as follows:

§153.3.2. Medicaid prescription medication for chronic or acute pain; opioid alternatives

A. Notwithstanding any provision of law to the contrary, a Medicaid managed care organization shall not deny coverage of a nonopioid prescription drug in favor of an opioid prescription drug when a licensed physician has prescribed a nonopioid medication for the treatment of chronic or acute pain.

B.(1) The Louisiana Department of Health shall cover any nonopioid drug approved by the United States Food and Drug Administration for the treatment or management of pain on the Medicaid single preferred drug list

1 provided for in R.S. 46:153.3 and on any preferred drug list administered by a
2 Medicaid managed care organization.

3 (2) The department shall not designate any clinically appropriate
4 nonopioid drug as a nonpreferred drug if any clinically appropriate opioid or
5 narcotic drug is available.

6 (3) The department shall not establish more restrictive or more extensive
7 utilization controls, including but not limited to more restrictive or more
8 extensive prior authorization or step therapy requirements, for clinically
9 appropriate nonopioid drugs than the least restrictive or extensive utilization
10 controls applicable to any clinically appropriate opioid or narcotic drug.

11 C. The department shall:

12 (1) Provide education, awareness, and technical assistance on the
13 advantages of nonopioid alternative drugs.

14 (2) Collaborate to seek funding opportunities for educational and health
15 care services related to nonopioid alternatives.

16 (3) Assist, upon request, political subdivisions that receive opioid grant
17 awards as a result of any money obtained through a settlement or judgment by
18 the attorney general on behalf of this state related to opioid litigation involving
19 pharmaceutical supply chain participants.

20 D. The department shall support programs that include evidence-based,
21 forward-looking strategies, programming, and services to promote opioid
22 alternatives by doing the following:

23 (1) Expand the availability of treatment for individuals affected by
24 opioid use disorders, co-occurring substance use disorders, and mental health
25 issues.

26 (2) Develop, promote, and provide evidence-based opioid use prevention
27 strategies.

28 (3) Provide opioid use disorder and co-occurring substance use disorder
29 avoidance and awareness education.

1 **(4) Decrease the oversupply of licit and illicit opioids.**

2 **(5) Support recovery from addiction services performed by qualified and**
3 **appropriately licensed providers.**

4 **(6) Treat opioid use, abuse, and disorders including early intervention**
5 **screening, counseling, and support.**

6 **(7) Support individuals in treatment and recovery from opioid use,**
7 **abuse, and disorder.**

8 **(8) Provide programs or services to connect individuals with opioid use,**
9 **abuse, or disorder, or individuals who are at risk of developing opioid use**
10 **disorder, co-occurring substance use disorder, and mental health issues with**
11 **treatment and counseling programs and services.**

12 **(9) Address the needs of individuals who are involved, or who are at risk**
13 **of becoming involved, in the criminal justice system due to opioid use, abuse, or**
14 **disorder through programs or services including pre-arrest and post-arrest**
15 **diversion programs, pretrial services, and drug or recovery courts.**

16 **(10) Address the needs of pregnant or parenting women with opioid use,**
17 **abuse, or disorder and their families.**

18 **(11) Address the needs of parents and caregivers caring for babies with**
19 **neonatal abstinence syndrome.**

20 **(12) Support efforts to prevent overprescribing and ensure appropriate**
21 **prescribing and dispensing of opioids.**

22 **(13) Support efforts to discourage or prevent misuse of opioids including**
23 **the oversupply of licit and illicit opioids.**

24 **(14) Support efforts to prevent or reduce overdose deaths or other**
25 **opioid-related harms including through increased availability and distribution**
26 **of naloxone and other drugs that treat overdoses for use by first responders,**
27 **persons who have experienced an overdose event, families, schools,**
28 **community-based service providers, social workers, and other members of the**
29 **public.**

1 **(15) Reimburse or fund law enforcement and emergency responder**
 2 **expenditures relating to the opioid epidemic, including costs of responding to**
 3 **emergency medical or police calls for service, equipment, treatment or response**
 4 **alternatives, mental health response training, and training for law enforcement**
 5 **and emergency responders as to appropriate practices and precautions when**
 6 **dealing with opioids or individuals who are at risk of opioid overdose or death.**

7 **(16) Reimburse attorney fees and allowable expenses directly related to**
 8 **opioid litigation incurred as part of legal services agreements entered into**
 9 **before August 1, 2024.**

10 **(17) Support efforts to provide leadership, planning, and coordination**
 11 **to abate the opioid epidemic through activities, programs, or strategies for**
 12 **prevention and recovery models including regional intergovernmental efforts**
 13 **and not-for-profit agency support.**

14 **(18) Support education of youths regarding the dangers of opioid use,**
 15 **abuse, and addiction.**

16 **(19) Fund training relative to any approved purpose.**

17 **(20) Monitor, survey, and evaluate opioid use, abuse, or disorder.**

18 **(21) Provide educational and health care services related to nonopioid**
 19 **treatment alternatives.**

20 **(22) Provide opioid abatement.**

21 **E. Any political subdivision impacted by the opioid crisis shall be eligible**
 22 **for support from the department and receipt of opioid funds for purposes set**
 23 **forth in this Section.**

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

Proposed law provides for prohibitions and requirements for Medicaid managed care organizations regarding coverage for nonopioid and opioid prescription drugs.

Proposed law provides for duties of the Louisiana Department of Health regarding nonopioid education and awareness, collaboration regarding funding opportunities, and assistance to

political subdivision that receive opioid grant awards through opioid settlements.

Proposed law requires the department to support programs that include strategies, programming, and services to promote opioid alternatives.

Effective August 1, 2024.

(Adds R.S. 46:153.3.2)