## SLS 24RS-311

## **ENGROSSED**

2024 Regular Session

SENATE BILL NO. 148

BY SENATOR MIZELL

HEALTH/ACC INSURANCE. Provides relative to postpartum depression. (8/1/24)

1	AN ACT
2	To enact R.S. 22:1053(C)(6), relative to postpartum depression; to provide for the
3	application of step therapy and fail first protocols to drugs prescribed for postpartum
4	depression; to provide for the override of restrictions in certain circumstances; and
5	to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 22:1053(C)(6) is hereby enacted to read as follows:
8	§1053. Requirement for coverage of step therapy or fail first protocols
9	* * *
10	C. When medications for the treatment of any medical condition are restricted
11	for use by any health coverage plan through a step therapy or fail first protocol, the
12	prescribing practitioner shall have access to a clear and convenient process to
13	expeditiously request an override of the restriction. The override process shall be
14	made easily accessible on the health coverage plan's website. An override of the
15	restriction shall be expeditiously granted by the health coverage plan if the
16	prescribing practitioner, using sound clinical evidence, can demonstrate any of the
17	following:

Page 1 of 2 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	<u> </u>
2	(6) For postpartum depression, the indication for which the prescription
3	drug is required has not been approved by the United States Food and Drug
4	Administration as described on the prescription drug's approved label.
5	* * *

The original instrument was prepared by Brandi Cannon. The following digest, which does not constitute a part of the legislative instrument, was prepared by Amanda Trapp.

DIGEST

SB 148 Engrossed

2024 Regular Session

Mizell

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

<u>Present law</u> requires health coverage plans that restrict medications through step therapy or fail first protocol to have a process for the prescribing practitioner to request to override the restriction if certain criteria is met.

<u>Proposed law</u> adds that the prescribing practitioner can request an override for postpartum depression if the indication for which the prescription drug is required has not been approved by the United States Food and Drug Administration as described on the prescription drug's approved label.

Effective August 1, 2024.

(Adds R.S. 22:1053(C)(6))

Summary of Amendments Adopted by Senate

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

- 1. Deletes the prohibitions against health coverage plans and managed care organizations using step therapy or first fail protocol for the treatment of postpartum depression.
- 2. Deletes the requirement for health coverage plans and managed care organizations to cover screening for postpartum depression or related mental health disorders.
- 3. Deletes provisions regarding effectiveness.
- 4. Adds requirement that a prescribing practitioner can request an override for postpartum depression if certain conditions are met.