

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 899** HLS 24RS 2081

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 31, 2024	8:42 PM	Author: WRIGHT
Dept./Agy.: LDH		Analyst: Shawn Hotstream
Subject: Patients law		

HEALTH/MEDICAL TREATMENT EN NO IMPACT See Note
Provides relative to the Hope for Louisiana Patients Law

Proposed law authorizes a manufacturer operating within an eligible facility (in accordance with all applicable Federalwide Assurance for the Protection of Human Subjects laws) to make available an individualized investigative treatment, and a patient may request an individualized investigational drug, biological product, or device from an eligible facility or manufacturer operating within an eligible facility. Proposed law provides an eligible facility or manufacturer may provide the drug or biological product to an eligible patient without receiving compensation, or may require the patient to pay the cost of such treatment. This measure does require a health insurance issuer to expand coverage or a state agency or any governmental agency to pay costs associated with the use or treatment of a patient, however, a health plan, third party administrator, or governmental agency may provide coverage for the cost of an individualized investigational drug, product or device. Proposed law limits liability, and prevents a licensing board from revoking or suspending a healthcare provider's license based on the provider's recommendation to a patient to have access to this care. Proposed law provides for a prohibition of private causes of action and insurance mandates.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
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Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on expenditures in the Louisiana Department of Health or the Office of Group Benefits as a result of this measure. The Hope for Louisiana Patients Law authorizes patient access to individualized investigational drugs, products, or devices. This measure does not contain a requirement for insurers to provide coverage for such drugs, products, or devices, but states that health plans, third party administrators, and governmental agencies may provide such coverage. OGB's self-funded health plan specifically excludes coverage for investigational or experimental treatments/procedures and drugs regardless of medical necessity, and anticipates no change in pharmacy claim expenditures under this measure.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate

Dual Referral Rules

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Patrice Thomas
Deputy Fiscal Officer