

CONFERENCE COMMITTEE REPORT

HB 1236

2026 Regular Session

Dewitt

May 29, 2026

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1236 by Representative Dewitt, recommend the following concerning the Reengrossed bill:

- 1. That the set of Senate Committee Amendments by the Senate Committee on Insurance (#3319) be adopted.
- 2. That the following amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 4, delete lines 25 through 27 in their entirety and insert in lieu thereof the following:

"D. The reimbursement formula adopted by a pharmacy benefit manager pursuant to this Section shall include the professional dispensing fee required by this Section as a non-recoverable cost. The pharmacy benefit manager shall not collect, recoup, or recover the professional dispensing fee from any pharmacy, pharmacist, or member."

AMENDMENT NO. 2

On page 5, delete lines 7 through 9 in their entirety and insert in lieu thereof the following:

"Section 3. The provisions of this Act shall be given prospective and retroactive application. The provisions of Subsection D shall be applied retroactively to January 1, 2026. A pharmacy benefit manager shall be deemed compliant with this retroactive application upon demonstration that it has adopted and reprocessed all applicable claims retroactively to January 1, 2026, using a reimbursement formula which includes the prescription drug pricing benchmark described in R.S. 22:1868(C)(1) as amended herein plus a professional dispensing fee that is an amount no less than nine dollars. The reimbursement formula shall also apply prospectively and the deemed compliance applicable to the retroactive application shall not be construed to apply to the prospective application of this Act. All other provisions of this Act shall apply prospectively only."

Respectfully submitted,

\_\_\_\_\_  
Representative Jason Dewitt

\_\_\_\_\_  
Senator Kirk Talbot

\_\_\_\_\_  
Representative Michael "Gabe" Firment

\_\_\_\_\_  
Senator Adam Bass

\_\_\_\_\_  
Representative Dustin Miller

\_\_\_\_\_  
Senator Jimmy Harris

**CONFERENCE COMMITTEE REPORT DIGEST**

**HB 1236**

**2026 Regular Session**

**Dewitt**

**Keyword and onliner of the instrument as it left the House**

INSURANCE: Provides relative to pharmacy benefit managers reimbursements

**Report adopts Senate amendments to:**

1. Delete provisions of proposed law authorizing copay assistance benefit plans.
2. Remove provisions of proposed law that requires pharmacy benefit managers to bear all costs relative to professional dispensing fees and prohibits professional dispensing fees from being assigned to plans, members, pharmacies, or pharmacists.
3. Make technical changes.

**Report amends the bill to:**

1. Provide for retroactive application of the amount of the professional dispensing fee.
2. Require pharmacy benefit managers to include the professional dispensing fee in the adoption of the reimbursement formula as a non-recoverable cost and prohibit pharmacy benefit managers from collecting, recouping, or recovering the professional dispensing fee from any pharmacy, pharmacist, or member.

**Digest of the bill as proposed by the Conference Committee**

Present law prohibits pharmacy benefit managers or persons acting on behalf of a pharmacy benefit managers from reimbursing a contracted or local pharmacy or pharmacist in this state an amount less than the acquisition cost for the covered drug, device, or service. Proposed law retains present law.

Present law defines certain terms. Proposed law amends the definitions of "acquisition cost" and "reimbursement formula" and adds "professional dispensing fee" to the list of definitions.

Proposed law provides additional reimbursement guidelines for pharmacy benefit managers claims submitted by any local pharmacy to a pharmacy benefit manager administering claims on behalf of a health plan, except for the Office of Group Benefits.

Proposed law deletes adjustment factors from the prescription drug reimbursement formula.

Proposed law retains present law relative to appeals process for pharmacists to challenge claim payment errors.

Proposed law requires a written invoice from the wholesaler that includes the drug name, national drug code number, purchase date, and cost of the drug, if an appeal is filed with the pharmacy benefit manager.

Proposed law prohibits pharmacy benefit managers from amending or changing the amount a prescription drug consumer must pay for an out-of-pocket cost share or expense.

Proposed law requires pharmacy benefit managers to include the professional dispensing fee in the adoption of the reimbursement formula as a non-recoverable cost. Proposed law prohibits the professional dispensing fee from being assigned to any pharmacy, pharmacist, or member.

Proposed law authorizes the commissioner to require submission of claims-level data, including but not limited to reimbursement amounts, dispensing fees, and any adjustments, for the purpose of verifying compliance with proposed law.

Proposed law provides that the provisions of proposed law shall be given prospective and retroactive application.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 22:1868(B)(intro. para.), (1), and (4), and (C)(1), (2), and (3)(c) and (d); Adds R.S. 22:1868(B)(5), (D), and (E); Repeals R.S. 22:1868(B)(2))