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

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DIGEST

SB 285 Original

2018 Regular Session

Gary Smith

Present law defines "health insurance issuer" as an entity that offers a health benefit plan through a policy, contract, or certificate of insurance subject to state law that regulates the business of insurance.

Present law defines "prescription drug" as:

- (1) A substance for which federal or state law requires a prescription before the substance may be legally dispensed to the public.
- (2) A drug or device that under federal law is required, before being dispensed or delivered, to be labeled with the statement: "Caution: Federal law prohibits dispensing without prescription" or "Rx only" or another legend that complies with federal law.
- (3) A drug or device that is required by federal or state statute or regulation to be dispensed on prescriptions or that is restricted to use by a physician or other authorized prescriber.

Proposed law prohibits a health insurance issuer from denying coverage of a non-opioid prescription drug in favor of an opioid prescription drug.

Proposed law provides when opioids are deemed medically necessary by a licensed physician, it shall be unlawful for an insurer to deny a physician prescribed medication and recommend an alternative prescription which requires any of the following:

- (1) An increased number of pills per prescription.
- (2) A higher Drug Enforcement Administration schedule medication than the one prescribed.
- (3) The substitution of a medication that does not have defined abuse deterrent properties for a prescription of a medication that does have defined abuse deterrent properties.

Effective August 1, 2018.

(Adds R.S. 22:1060.7)