

2018 Regular Session

SENATE BILL NO. 27

BY SENATOR MILLS

MEDICAID. Provides relative to the Medicaid Pharmaceutical and Therapeutics Committee. (8/1/18)

1 AN ACT

2 To amend and reenact R.S. 46:153.3(D)(1) and (2), relative to the Medicaid Pharmaceutical

3 and Therapeutics Committee; to provide for committee composition; to provide for

4 committee diversity; to provide for nominating entities; to provide for filling of

5 vacancies; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 46:153.3(D)(1) and (2) are hereby amended and reenacted to read

8 as follows:

9 §153.3. Medical vendor reimbursements; allowable restrictions; peer-based

10 prescribing and dispensing practice patterns; Medicaid

11 Pharmaceutical and Therapeutics Committee

12 * * *

13 D.(1) The Medicaid Pharmaceutical and Therapeutics Committee, hereinafter

14 referred to as "the committee", is hereby created within the Louisiana Department

15 of Health. The committee shall be composed of ~~twenty-one~~ **fifteen** members

16 appointed by the governor and submitted to the Senate for confirmation. ~~The~~

17 ~~committee shall be representative of the state's geographic and demographic~~

1 composition, including women and minorities. The governor shall ensure that
2 appointments achieve race, gender, and geographic diversity.

3 (2)(a) Each nominating organization shall certify by affidavit that the practice
4 of each nominee involves either the care of or the supervision of the care of ~~no less~~
5 ~~than one hundred~~ Medicaid recipients. The committee shall be comprised of the
6 following persons:

7 (a)(i) One physician with expertise in the area of pharmacology representing
8 nominated by the Louisiana State University Health Sciences Center.

9 (b)(ii) One physician with expertise in the area of pharmacology representing
10 nominated by Tulane University School of Medicine.

11 (c) ~~One practicing physician who is participating in the Title XIX program~~
12 ~~as a family practitioner recommended by the Louisiana State Medical Society.~~

13 (d) ~~One practicing physician who is participating in the Title XIX program~~
14 ~~as an internal medicine specialist recommended by the Louisiana State Medical~~
15 ~~Society.~~

16 (e) ~~One practicing physician who is participating in the Title XIX program~~
17 ~~as a pediatrician recommended by the Louisiana State Medical Society.~~

18 (f) ~~One practicing physician who is participating in the Title XIX program~~
19 ~~as a surgeon recommended by the Louisiana State Medical Society.~~

20 (g) ~~One practicing physician who is participating in the Title XIX program~~
21 ~~as an obstetrics/gynecologist recommended by the Louisiana State Medical Society.~~

22 (h) ~~Two practicing physicians who are participating in the Title XIX program~~
23 ~~recommended by the Louisiana Medical Association.~~

24 (iii) Four physicians nominated by the Louisiana State Board of Medical
25 Examiners.

26 (i)(iv) One pharmacist representing nominated by the University of
27 Louisiana at Monroe School of Pharmacy.

28 (j)(v) One pharmacist representing nominated by the Xavier University of
29 Louisiana School of Pharmacy.

1 ~~(k)~~**(vi)** Two practicing pharmacists ~~who are participating in the Title XIX~~
2 ~~drug program~~ **nominated by the Louisiana Board of Pharmacy.** One pharmacist
3 shall be an independent pharmacist ~~recommended by the Louisiana Independent~~
4 ~~Pharmacies Association~~ and one pharmacist shall be a pharmacist representing a
5 chain pharmacy ~~recommended by the Louisiana Pharmacists Association.~~

6 ~~(h)~~**(vii)** The secretary of the Louisiana Department of Health, or his designee.

7 ~~(m)~~**(viii)** The director of the Medicaid program in the Louisiana Department
8 of Health or his designee.

9 ~~(n)~~**(ix)** The president of the Senate or the president's designee.

10 ~~(o)~~**(x)** The speaker of the House of Representatives or the speaker's designee.

11 ~~(p)~~ One practicing physician who is participating in the Title XIX program
12 as a psychiatrist recommended by the Louisiana Psychiatric Medical Association.

13 ~~(q)~~**(xi)** A **consumer member who shall be a** Medicaid recipient.

14 ~~(r)~~ One physician representing the Department of Neurology at Louisiana
15 State University Health Sciences Center.

16 ~~(s)~~ One physician who is a pediatric oncologist representing the Louisiana
17 State University Health Sciences Center.

18 **(b) Any committee member who misses two consecutive meetings may**
19 **be replaced. The department may send notice to the nominating organization**
20 **upon the second recorded absence. The nominating organization shall have**
21 **thirty calendar days from issuance of the notice to submit replacement**
22 **nominations to the office of the governor. If replacement nominations are not**
23 **received within thirty days, the department shall nominate a replacement.**

24 * * *

25 Section 2. Nominating organizations shall submit the names of their nominees to the
26 governor on or before August 1, 2018. If a nominating organization does not submit
27 nominees to the governor by August 1, 2018, the department shall submit nominees to the
28 governor for the respective vacant committee seat on or before September 1, 2018.
29 Appointments shall be made on or before October 1, 2018.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christine Arbo Peck.

DIGEST

SB 27 Reengrossed

2018 Regular Session

Mills

Present law provides for 21 members of the Medicaid Pharmaceutical and Therapeutics Committee. Proposed law reduces the number of members to 15.

Present law provides that the committee shall be representative of the state's geographic and demographic composition, including women and minorities. Proposed law requires that the governor ensure race, gender, and geographic diversity in making his appointments.

Present law provides for committee membership nominations by trade associations. Proposed law provides for committee membership nominations by state health profession licensing boards.

Proposed law provides opportunity for replacement of committee members upon absence from two consecutive meetings. Proposed law provides for the department to nominate a replacement member if the nominating organization does not do so within 30 calendar days of notice that its nominee has been removed from the committee.

Effective August 1, 2018.

(Amends R.S. 46:153.3(D)(1) and (2))

Summary of Amendments Adopted by SenateCommittee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Makes replacement of members for meeting absences permissive.
2. Establishes timelines for nominating entities to comply with proposed law.

Senate Floor Amendments to engrossed bill

1. Makes legislative bureau technical change.