

## SENATE SUMMARY OF HOUSE AMENDMENTS

SB 285

2018 Regular Session

Gary Smith

**KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

HEALTH/ACC INSURANCE. Prohibits a health insurance issuer from denying a nonopioid prescription in favor of an opioid prescription. (8/1/18)

**SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL**

1. House floor amendment deletes House committee amendments and returns bill to version as it left the Senate.
  - (a) Deleted House committee amendment that added provisions authorizing an insurer to recommend an alternative prescription which requires an increased number of pills per prescription if the recommended substitution is consistent with the U.S. Centers for Disease Control and Prevention prescribing guidelines for opioids.

**DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE**

SB 285 Engrossed

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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 an extended release 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)

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