

2020 Regular Session

SENATE BILL NO. 61

BY SENATOR FRED MILLS

COMMERCIAL REGULATIONS. Provides for unfair or deceptive acts or practices in the insurance business against certain pharmacies and pharmacists who are licensed and physically located in the state. (8/1/20)

1 AN ACT

2 To amend and reenact R.S. 22:1964(15)(a)(ii), relative to unfair or deceptive methods, acts,
3 or practices in the business of insurance; to provide for methods, acts, or practices
4 against pharmacists licensed and physically located in the state; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1964(15)(a)(ii) is hereby amended and reenacted to read as
8 follows:

9 §1964. Methods, acts, and practices which are defined as unfair or deceptive

10 The following are declared to be unfair methods of competition and unfair
11 or deceptive acts or practices in the business of insurance:

12 * * *

13 (15)(a) The issuance, delivery, issuance for delivery, or renewal of, or
14 execution of a contract for, a health benefits policy or plan which:

15 * * *

16 (ii) Denies a pharmacy **licensed and physically located in the state** or a
17 pharmacist **licensed** the right to participate as a contract provider of pharmaceutical

1 services or pharmaceutical products under the policy or plan, or under a pharmacy
 2 network established by the policy or plan, if the pharmacy or pharmacist agrees in
 3 writing to provide pharmaceutical services and pharmaceutical products that meet
 4 all the terms and requirements, including the same administrative, financial, and
 5 professional conditions and a minimum contract term of one year, if requested,
 6 which apply to pharmacies and pharmacists which have been designated as providers
 7 under the policy or plan or as participating providers in a pharmacy network
 8 established by the policy or plan.

9 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Thomas L. Tyler.

	DIGEST	
SB 61 Original	2020 Regular Session	Fred Mills

Present law provides for certain unfair methods of competition and unfair or deceptive acts or practices in the business of insurance.

Present law provides that the issuance, delivery, issuance for delivery, or renewal of, or execution of a contract for, a health benefits policy or plan which denies a pharmacy or pharmacist the right to participate as a contract provider of pharmaceutical services or pharmaceutical products under the policy or plan, or under a pharmacy network established by the policy or plan, if the pharmacy or pharmacist agrees in writing to provide pharmaceutical services and pharmaceutical products that meet all the terms and requirements, including the same administrative, financial, and professional conditions and a minimum contract term of one year, if requested, which apply to pharmacies and pharmacists which have been designated as providers under the policy or plan or as participating providers in a pharmacy network established by the policy or plan.

Proposed law retains these provisions in present law but limits the prohibition to pharmacies licensed and physically located in the state as well as pharmacists licensed in this state.

Effective August 1, 2020.

(Amends R.S. 22:1964(15)(a)(ii))