
HOUSE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by House Committee on Insurance to Original House Bill No. 244
by Representative Turner

1 AMENDMENT NO. 12 On page 1, line 6, after "reimbursement;" delete the remainder of the line and insert "to
3 authorize rulemaking; to provide for penalties; and to"4 AMENDMENT NO. 2

5 On page 2, delete line 11 in its entirety and insert in lieu thereof the following:

6 "commissioner a registration fee set by the commissioner not to exceed three
7 hundred dollars."8 AMENDMENT NO. 3

9 On page 2, delete lines 15 through 17 in their entirety

10 AMENDMENT NO. 411 On page 2, line 18, after "Duties" insert "and responsibilities; nonimposition of liability;
12 rulemaking authority"13 AMENDMENT NO. 5

14 On page 2, delete line 21 in its entirety and insert in lieu thereof the following:

15 "pharmacy's agent is obligated to"16 AMENDMENT NO. 617 On page 2, line 23, after "loyalty" insert a period "." and delete the remainder of the line, and
18 delete lines 24 through 26 in their entirety, and insert the following:19 "B. A pharmacy services administrative organization is not responsible for
20 any of the activities that are solely within the purview of a pharmacy benefits
21 manager.22 C. The commissioner of insurance shall promulgate rules that define the
23 roles and responsibilities solely within the purview of both of the following:24 (1) Pharmacy benefits managers.25 (2) Pharmacy services administrative organizations."26 AMENDMENT NO. 727 On page 2, at the beginning of line 27, change "B." to "D."28 AMENDMENT NO. 829 On page 3, at the beginning of line 1, change "C." to "E."

1 AMENDMENT NO. 9

2 On page 3, delete lines 4 through 11 in their entirety and insert in lieu thereof the following:

3 "§1660.4. Contractual agreements; receipt and payment of claims

4 A. After the receipt of a clean claim by a pharmacy, the plan sponsor, or an
5 agent of the plan sponsor such as a pharmacy benefits manager, shall not
6 retroactively reduce payment on the claim, either directly or indirectly, through
7 aggregated effective rates or otherwise except in situations where a claim is found
8 not to be a clean claim during the course of a routine audit as permitted pursuant to
9 written agreements between the plan sponsor and the pharmacy. For purposes of this
10 Section, "clean claim" has the same meaning provided for in R.S. 22:1188.1.

11 B. Subsection A of this Section does not prohibit any retroactive increase in
12 payment to a pharmacy pursuant to a written agreement between a plan sponsor, or
13 an agent of the plan sponsor such as a pharmacy benefits manager, and a pharmacy,
14 or an agent of a pharmacy such as a pharmacy services administrative organization.

15 C. Upon request by a contracted pharmacy, a pharmacy services
16 administrative organization shall provide the pharmacy access to complete and
17 unredacted contracts executed on its behalf within a reasonable time frame."

18 AMENDMENT NO. 10

19 On page 3, between lines 19 and 20, insert the following:

20 "C. The provisions of this Section do not apply to pharmacy payments from
21 a pharmacy services administrative organization where a pharmacy services
22 administrative organization has yet to receive final payment, retroactive adjustments,
23 or reconciliations from a plan sponsor, or an agent of the plan sponsor such as a
24 pharmacy benefits manager, or with respect to funds held to pay amounts owed by
25 the applicable pharmacy."

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.