

2022 Regular Session

SENATE BILL NO. 278

BY SENATOR FRED MILLS

PHARMACEUTICALS. Provides relative to the maximum cost of prescription insulin drugs. (8/1/22)

1 AN ACT
2 To enact R.S. 22:1034.1, relative to the maximum cost of certain prescription drugs; to
3 provide for maximum cost sharing that a patient is required to pay for prescription
4 insulin; to provide authority for a health plan or pharmacy benefit management plan
5 to lower cost sharing below the maximum amount; to provide for definitions; to
6 provide for applicability to new or existing policies, contracts, programs, health
7 plans, or pharmacy benefit management plans; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 22:1034.1 is hereby enacted to read as follows:

10 **§1034.1. Maximum cost sharing for prescription insulin drugs**

11 **A. A health plan or pharmacy benefit management plan that provides**
12 **coverage for prescription insulin drugs shall limit the total amount that a**
13 **patient is required to pay for a thirty-day supply of covered prescription insulin**
14 **drugs at an amount not to exceed one hundred dollars per month, regardless of**
15 **the quantity or type of covered prescription insulin drug used to fill the**
16 **patient's prescription.**

17 **B. Nothing in this Section shall prevent a health plan or pharmacy**

1 benefit management plan from establishing cost sharing requirements for
 2 covered prescription insulin drugs below the amount provided for in Subsection
 3 A of this Section.

4 C. As used in this Section, the following definitions shall apply:

5 (1) "Health plan" means an individual or group plan or program which
 6 is established by contract, certificate, law, plan, policy, subscriber agreement,
 7 or by any other method and which is entered into, issued, or offered for the
 8 purpose of arranging for, delivering, paying for, providing, or reimbursing any
 9 of the costs of health or medical care, including pharmacy services, drugs, or
 10 devices.

11 (2) "Patient" means the insured member whose services are covered by
 12 the health plan or pharmacy benefit management plan.

13 (3) "Pharmacy benefit management plan" means a plan that pays for,
 14 reimburses, covers the cost of, or otherwise provides for pharmacist services,
 15 drugs, or devices to individuals who reside in or are employed in Louisiana.

16 (4) "Prescription insulin drug" means a prescription drug that contains
 17 insulin and is used to control blood glucose levels to treat diabetes but shall not
 18 include an insulin drug that is administered to a patient intravenously.

19 D. The provisions of this Section shall apply to any new policy, contract,
 20 program, health plan, or pharmacy benefit management plan issued on and
 21 after August 1, 2022. Any policy, contract, program, health plan, or pharmacy
 22 benefit management plan in effect before August 1, 2022, shall convert to
 23 conform to the provisions of this Section on or before the renewal date, but no
 24 later than August 1, 2022.

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

Proposed law provides for a maximum patient cost sharing amount of \$100 for a 30-day supply of covered prescription insulin. Proposed law does not apply to insulin drugs administered to a patient intravenously.

Proposed law provides that a health plan or pharmacy benefit manager plan may impose cost sharing in an amount less than the maximum established in proposed law.

Proposed law provides definitions.

Proposed law provides that all new or existing policies, contracts, programs, health plans, or pharmacy benefit management plans shall comply with or be converted to comply with proposed law no later than August 1, 2022.

Effective August 1, 2022.

(Adds R.S. 22:1034.1)