
DIGEST

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HB 579 Reengrossed

2024 Regular Session

McMahan

Abstract: Authorizes pharmacists to dispense HIV pre-exposure and post-exposure prophylaxis.

Proposed law defines "board", "human immunodeficiency virus", "post-exposure prophylaxis", and "pre-exposure prophylaxis".

Proposed law provides that a pharmacist may initiate therapy and administer and dispense drugs, including HIV pre-exposure prophylaxis and HIV post-exposure prophylaxis, and order laboratory tests in conjunction with administering and dispensing the drugs pursuant to a statewide protocol.

Proposed law requires the La. Dept. of Health to promulgate administrative rules in accordance with the Administrative Procedure Act to implement the provisions of proposed law, including rules that establish protocols for dispensing HIV pre-exposure prophylaxis and HIV post-exposure prophylaxis.

Proposed law requires certain terms and conditions, at minimum, to be included in the statewide protocol. Proposed law further requires a pharmacist to complete a training program on the use of HIV pre-exposure prophylaxis and HIV post-exposure prophylaxis prior to initiating therapy, administering, dispensing, or participating in any other activities relating to the statewide protocol provided in proposed law.

Proposed law requires the training program to include but not be limited to the following:

- (1) Financial assistance programs for HIV pre-exposure prophylaxis and HIV post-exposure prophylaxis.
- (2) Relevant strategies for care regarding HIV pre-exposure prophylaxis and HIV post-exposure prophylaxis for privately insured patients.
- (3) Relevant strategies for care regarding HIV pre-exposure prophylaxis and HIV post-exposure prophylaxis for uninsured patients.

Proposed law further requires a pharmacist to document a focused assessment of the patient following best practices and guidelines for preventing HIV and steps to obtain consent, order, process, evaluate, interpret, and discuss results with patients of any laboratory tests listed in the protocol.

Proposed law requires a pharmacist to identify the nature and obligations for successful HIV pre-exposure prophylaxis or HIV post-exposure prophylaxis, as required by the patient, and the importance of timely testing for HIV and related complications and comorbid conditions.

Proposed law further requires reimbursement for any pharmacist authorized to provide a service relative to HIV pre-exposure and post-exposure prophylaxis. Such reimbursement shall be done at the same rate as any other participating healthcare provider providing such service, including but not limited to any physician licensed in accordance with present law, any physician assistant licensed in accordance with present law, or any advanced practice registered nurse licensed in accordance with present law.

Proposed law provides that proposed law shall not be construed to require reimbursement from a health plan coverage or a third-party administrator or pharmacy benefit manager.

Proposed law requires the La. Dept. of Health to create a working group to advise it in promulgating administrative rules to implement the provisions of proposed law. Proposed law requires the administrative rules to be promulgated by Dec. 2024. Proposed law also identifies who should be included in the working group.

Proposed law may apply to group plan coverage provided to a resident of this state regardless of whether the health coverage plan policy, contract, or other agreement is delivered, issued for delivery, or renewed in this state.

(Adds R.S. 40:1172.1-1172.3)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Revise the definitions of pre-exposure and post-exposure prophylaxis and remove the definition of "treatment as HIV as prevention".
2. Require completion of the training program prior to initiating therapy, administering, dispensing, or participating in any other activities related to the statewide protocol.
3. Remove the required training information and add relevant strategies for care for privately insured and uninsured patients.
4. Remove counseling provisions and require identification of the nature and obligations for successful HIV pre-and-post exposure prophylaxis.
5. Provide that proposed law shall not be construed to require reimbursement from a health plan coverage or a third-party administrator or pharmacy benefit manager nor shall it be apply to coverage under a group health coverage plan to a resident of this state.

6. Make technical corrections.

The House Floor Amendments to the engrossed bill:

1. Provide that proposed law shall not be construed to require reimbursement from a health plan coverage or a third-party administrator or pharmacy benefit manager nor shall it be apply to coverage under a group health coverage plan to a resident of this state.
2. Require LDH to create a working group to advise it in promulgating administrative rules to implement the provisions of proposed law.
3. Require the administrative rules to be promulgated by Dec. 2024.
4. Identify who should be included in the working group required by proposed law.
5. Provide that proposed law may apply to group plan coverage.
6. Make technical corrections.