

CONFERENCE COMMITTEE REPORT

HB 358

2025 Regular Session

Miller

June 11, 2025

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 358 by Representative Miller, recommend the following concerning the Engrossed bill:

1. The Senate Committee Amendments Nos. 1 and 3 proposed by Senate Committee on Health and Welfare (#1735), be adopted.
2. The Senate Committee Amendments No. 2 proposed by Senate Committee on Health and Welfare (#1735), be rejected.
3. That the following amendments to the Engrossed bill be adopted;

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 37:1212," and before "to permit" delete the comma "," and change "relative to pharmacy technicians;" to "and 1256(B) and to enact R.S. 37:1221(D), relative to pharmacies;"

AMENDMENT NO. 2

On page 1, line 4, after "to prohibit certain administrative actions;" and before "and" insert "to prohibit certain operations; to provide relative to permitting;"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 37:1212" delete "is" and insert "and 1256(B) are" and before "to" insert "and R.S. 37:1221(D) is hereby enacted"

AMENDMENT NO. 4

On page 2, delete line 2 in its entirety and insert the following:

"software system or dispensing information system from a location other than a pharmacy."

AMENDMENT NO. 5

On page 2, after line 6, add the following:

"* * "

§1221. Unlawful operation

* * "

D. No permit to operate a pharmacy shall be granted or renewed to a pharmacy that is wholly or partially owned or controlled by a pharmacy benefit manager or its subsidiary.

* * "

§1256. Louisiana Board of Pharmacy; authority to regulate pharmacy benefit managers

* * "

B. A pharmacy benefit manager shall be permitted in accordance with ~~under~~ Part IV of this Chapter if it administers, develops, maintains, performs, or provides one or more pharmacy services in this state or that affects one or more beneficiaries of a pharmacy benefit management plan administered by the pharmacy benefit manager, as set forth in R.S. 40:2868.

Section 2. The provision of R.S. 37:1221(D) as enacted by Section 1 of this Act shall become effective on January 1, 2027."

Respectfully submitted,

Representative Dustin Miller

Senator Katrina Jackson-Andrews

Representative Christopher Turner

Senator Gerald Boudreaux

Representative Michael Charles Echols

Senator Heather Miley Cloud

CONFERENCE COMMITTEE REPORT DIGEST

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Keyword and oneliner of the instrument as it left the House

PHARMACISTS: Permits a pharmacy technician to work remotely in certain circumstances

Report adopts Senate amendments to:

1. Make technical changes.

Report rejects Senate amendments which would have:

1. Created a technical error.

Report amends the bill to:

1. Prohibit the La. Board of Pharmacy from granting or renewing a permit to operate a pharmacy in this state to an entity that owns or controls a pharmacy benefit manager.
2. Provide that the La. Board of Pharmacy shall continue to permit a pharmacy benefit manger as a pharmacy benefit manger in accordance with present law.

Digest of the bill as proposed by the Conference Committee

Proposed law provides that a pharmacy technician licensed in this state and employed by a pharmacy licensed in this state may access the pharmacy's software system or dispensing information system from a location other than a pharmacy in order to fulfill job tasks remotely.

Proposed law provides that a pharmacy shall establish controls to protect the privacy and security of confidential records and that no pharmacy software shall be duplicated, downloaded, or removed by a pharmacy technician.

Proposed law requires the La. Board of Pharmacy to promulgate rules to implement proposed law.

Present law states that a pharmacy benefit manager is required to obtain a permit to operate a pharmacy if it administers, develops, maintains, performs, or provides on or more pharmacy services in this state or that affects one or more beneficiaries of a pharmacy benefit management plan administered by a pharmacy benefit manager as set forth in present law.

Proposed law modifies present law providing that the La. Board of Pharmacy shall continue to license a pharmacy benefit manager as a pharmacy benefit manger in accordance with present law.

Proposed law provides that no permit to operate a pharmacy shall be granted or renewed to a pharmacy that is wholly or partially owned or controlled by a pharmacy benefit manager or a subsidiary of a pharmacy benefit manager.

(Amends R.S. 37:1212 and 1256(B); Adds R.S. 1221(D))