

SENATE BILL NO. 433

BY SENATORS BOUDREAUX, BARROW, BARTHELEMY, DUPLESSIS, JENKINS, OWEN AND SELDERS AND REPRESENTATIVES BRYANT, CHASSION, FISHER, FREEMAN, GREEN, DANA HENRY, JACKSON, KERNER, KNOX, LAFLEUR, MANDIE LANDRY, TERRY LANDRY, LYONS, MARCELLE, MARTINEZ, MCFARLAND, MILLER, MOORE, MURRAY, MUSCARELLO, NEWELL, PHELPS, STAGNI, WALTERS AND YOUNG

1 AN ACT

2 To enact R.S. 46:460.38, relative to Medicaid coverage of certain medications; to require
3 Medicaid coverage of FDA-approved weight loss medications; to provide for
4 qualifying patients; to provide for coverage restrictions; to provide for an effective
5 date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 46:460.38 is hereby enacted to read as follows:

8 **§460.38. Weight loss medications; required coverage**

9 **A. The Louisiana Department of Health shall provide Medicaid coverage**
10 **for FDA-approved weight loss medications that are medically necessary and are**
11 **prescribed by a licensed healthcare provider for a Medicaid recipient. The**
12 **coverage criteria for FDA-approved weight loss medications shall be established**
13 **by the department.**

14 **B. Coverage may be subject to prior authorization as determined by the**
15 **department.**

16 **C. The Louisiana Department of Health or any Medicaid managed care**
17 **organization shall not require step therapy for coverage of weight loss**
18 **medication pursuant to this Section.**

19 **D. The Louisiana Department of Health shall implement weight loss**
20 **coverage in a manner that ensures fiscal sustainability consistent with federal**
21 **requirements.**

22 Section 2.(A) The provisions of Section 1 of this Act shall become effective when
23 an Act of the Louisiana Legislature containing a specific appropriation of monies for the
24 implementation of the provisions of this Act becomes effective.

1 (B) The provisions of this Section shall become effective upon signature by the
2 governor or, if not signed by the governor, upon expiration of the time for bills to become
3 law without signature by the governor, as provided by Article III, Section 18 of the
4 Constitution of Louisiana. If vetoed by the governor and subsequently approved by the
5 legislature, the provisions of this Section shall become effective on the day following such
6 approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____