

2016 Regular Session

HOUSE BILL NO. 961

BY REPRESENTATIVE CROMER

DRUGS/PRESCRIPTION: Requires educational or marketing materials for prescription drugs directed to healthcare providers to include price information

1 AN ACT

2 To enact Part VI-C of Chapter 20 of Title 37 of the Louisiana Revised Statutes of 1950, to  
3 be comprised of R.S. 37:1742.11, relative to prescription drug prices; to require  
4 educational or marketing materials for prescription drugs directed to healthcare  
5 providers to include price information; to establish the minimum price information  
6 content; to authorize enforcement pursuant to the Unfair Trade Practices and  
7 Consumer Protection Law; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Part VI-C of Chapter 20 of Title 37 of the Louisiana Revised Statutes of  
10 1950, comprised of R.S. 37:1742.11, is hereby enacted to read as follows:

11 PART VI-C. DISCLOSURE OF PRESCRIPTION DRUG PRICE INFORMATION

12 §1742.11. Disclosure of prescription drug price information; educational or  
13 marketing materials; minimum content; violations

14 A. Any person providing educational or marketing materials regarding a  
15 prescription drug to a healthcare provider with the intent that the provider may  
16 prescribe the drug for use by his patients shall include price information in the  
17 materials.

18 B. The price information required by Subsection A of this Section shall  
19 include, at a minimum, all of the following:

20 (1) The date that the educational or marketing materials were prepared.

1           (2)(a) The average wholesale price of a thirty-day supply of the drug  
2           described in the materials.

3           (b) If the described drug is designed to be administered for a duration of  
4           therapy of less than thirty days, the proposed duration and average wholesale price  
5           for that period of time.

6           C. A violation of any provision of this Section shall constitute a prohibited  
7           practice under the Unfair Trade Practices and Consumer Protection Law, R.S.  
8           51:1401 et seq., and shall be subject to the enforcement provisions of that Chapter.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 961 Original

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Cromer

**Abstract:** Requires educational or marketing materials for prescription drugs directed to healthcare providers to include price information.

Proposed law requires any person providing educational or marketing materials regarding a prescription drug to a healthcare provider with the intent that the provider may prescribe the drug for use by his patients to include, at a minimum, the following price information in the materials:

- (1) The date that the educational or marketing materials were prepared.
- (2) The average wholesale price of a 30-day supply of the drug described in the materials, or if the described drug is designed to be administered for a duration of therapy of less than 30 days, the proposed duration and average wholesale price for that period of time.

A violation of proposed law constitutes a prohibited practice under the Unfair Trade Practices and Consumer Protection Law.

(Adds R.S. 37:1742.11)