

First Extraordinary Session, 2002

ACT No. 124

SENATE BILL NO. 66

BY SENATORS SCHEDLER AND ULLO

AN ACT

To enact R.S. 44:4(36), relative to public records; to provide relative to the confidentiality of supplemental rebate information contained in the records of the Department of Health and Hospitals and its agents; to provide an exemption of such information from the Public Records Act; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 44:4(36) is hereby enacted to read as follows:

§4. Applicability

This Chapter shall not apply:

* * *

R.S. 44:4(36) is all new law.

(36) To terms and conditions of the rebate agreement, rebate amounts, percent of rebate, manufacturer's pricing, and supplemental rebates which are contained in records of the Department of Health and Hospitals and its agents with respect to supplemental rebate negotiations for prescription drug coverage by the Medicaid Program and which are prepared pursuant to a supplemental rebate agreement, provided that the total amount of supplemental rebates recouped by the department shall be a public record. Such information shall be considered proprietary and confidential, provided that such information shall be subject to review by the legislative auditor and the Legislative Fiscal Officer.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____