Regular Session, 1999

HOUSE BILL NO. 898

BY REPRESENTATIVE GUILLORY

FUNDS/FUNDING: Dedicates a portion of tobacco settlement proceeds to the Pharmacy Access Fund

AN ACT

To enact R.S. 17:1519.9, relative to disposition of proceeds of the state tobacco settlement; to create the Pharmacy Access Fund within the state treasury; to provide for deposit of monies into the fund; to provide for investment and uses of monies in the fund; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:1519.9 is hereby enacted to read as follows:

§1519.9. Pharmacy Access Fund

A. The "Pharmacy Access Fund" is hereby created as a special fund within the state treasury to provide for support of indigent and needy pharmacy services provided through the institutions of the healthcare services division of the Louisiana State University Medical Center. The source of monies in the fund shall be a portion of those monies received by the state as a result of the Master Settlement Agreement, hereinafter the "settlement agreement", executed November 23, 1998, and approved by consent decree and final judgment entered in the case "Richard P. Ieyoub, Attorney General, ex rel. State of
Louisiana v. Philip Morris, Incorporated, et al.", bearing Number 98-6473 on the docket of the Fourteenth Judicial District Court for the parish of Calcasieu, state of Louisiana. The treasurer shall deposit in and credit to the fund twenty-five million dollars of the monies remaining available from those funds received by the state each fiscal year from the settlement agreement after satisfaction of the requirements of Article VII, Section 9(B) of the Constitution of Louisiana, relative to the Bond Security and Redemption Fund, and R.S. 46:977, relative to the Children's Health Insurance Program Support Fund.

B. Monies in the fund shall be available for appropriation for support and provision of outpatient pharmacy services for indigent and needy citizens of Louisiana through the institutions of the healthcare services division of the Louisiana State University Medical Center. All unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund. Such monies shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of these monies shall be credited to the fund.

C. The chancellor of the healthcare services division of the Louisiana State University Medical Center shall determine the criteria for eligibility of individuals for participation in the pharmacy program supported by the Pharmacy Access Fund.

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 in Article III,

CODING: Words in struck through type are deletions from existing law; words underscored are additions.
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.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

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Present law creates the Children's Health Insurance Program Support Fund and provides for the disposition of any monies received by the state as a result of any Act of congress implementing a tobacco industry settlement, or as a result of any settlement or judgment related to same. Provides for the use of up to $10,000,000 per year of such monies to the degree to which the funds are allowed under the Act of congress, agreement, judgment, or settlement to be used to support health insurance coverage for children. Provides that such funds used to support health insurance coverage for children will be deposited by the treasurer into the Children's Health Insurance Program Support Fund.

Proposed law retains present law and creates the "Pharmacy Access Fund", hereinafter the "fund", as a special fund within the state treasury. Provides that the source of monies in the fund shall be monies received by the state as a result of the Master Settlement Agreement (tobacco settlement). Requires that $25,000,000 of such tobacco settlement monies remaining each year after the required deposit of monies into the Bond Security and Redemption Fund and the Children's Health Insurance Program Support Fund (R.S. 46:977) be deposited into the Pharmacy Access Fund.

Proposed law provides that monies in the fund are available for appropriation by the legislature exclusively for the support and provision of outpatient pharmacy services for indigent or needy citizens of Louisiana through the institutions of the healthcare services division of the Louisiana State University Medical Center. Further provides that any monies remaining in the fund at the end of the fiscal year shall remain in the fund. Monies in the fund shall be invested by the treasurer in the same manner as the monies in the state general fund and interest earned shall be credited to the fund.

Proposed law authorizes the chancellor of the healthcare services division of the Louisiana State University Medical Center to set the eligibility criteria for participation in the pharmacy program supported by the fund.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 17:1519.9)