

Regular Session, 2003

ACT No. 1115

HOUSE BILL NO. 1606

BY REPRESENTATIVES MORRISH AND FAUCHEUX

AN ACT

To amend and reenact R.S. 22:230.5(C) and to enact R.S. 22:230.5(D) and (E) and 2016.1, relative to health insurance; to provide with respect to health insurance benefits and options mandated by law; to provide for a moratorium on additional statutory mandates; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:230.5(C) is hereby amended and reenacted and R.S. 22:230.5(D) and (E) and 2016.1 are hereby enacted to read as follows:

§230.5. Statutory mandates; actuarial cost analysis; periodic reevaluation; moratorium on additional mandates

* * *

C.(1) Notwithstanding any other provision of law to the contrary, a health insurance issuer shall not be required to deliver, issue, or renew a health benefit plan on or after January 1, 2004, and before December 31, 2008, that includes any additional mandate benefit or mandated option beyond those statutory requirements in effect for health benefit plans on the effective date of this Subsection. This Subsection shall apply to any health benefit plan delivered or issued for delivery in this state, including any hospital, health, or medical expense

insurance policy, hospital or medical service contract, employee welfare plan, health and accident insurance policy, or any policy of group, family group, blanket, or franchise health and accident insurance, self-insurance plan, health maintenance organization, preferred provider organization, or the Office of Group Benefits.

(2) Nothing in this Subsection shall be construed to prohibit an employer from electing to expand coverage on any group or individual health benefit plan or policy covering the employer and the employees of the employer.

(3) Nothing in this Subsection shall be construed to prohibit a health insurance issuer from electing to expand coverage on any group or individual health benefit plan.

~~C. D.~~ Nothing in this Section shall affect the fiscal impact report required by R.S. 24:603.1 to be attached to any legislation mandating health insurance benefits or options prior to its consideration by any committee of either house of the legislature.

E. Nothing in this Section shall be construed to allow a health benefit plan policy delivered, issued, or renewed after the effective date of this Act to suspend, limit, or modify any mandates in effect on the effective date of this Act.

* * *

§2016.1. Moratorium on additional statutory mandates

A.(1) Notwithstanding any other provision of law to the contrary, a health maintenance organization shall not be required to deliver, issue, or renew a health benefit plan on or after January 1, 2004, and before December 31, 2008, that includes any additional mandate benefit or mandated option beyond those statutory

requirements in effect for health maintenance organizations on the effective date of this Section.

(2) Nothing in this Section shall be construed to prohibit an employer from electing to expand coverage on any group or individual health benefit plan or policy covering the employer and the employees of the employer.

(3) Nothing in this Section shall be construed to prohibit a health maintenance organization from electing to expand coverage on any group or individual health benefit plan.

B. Nothing in this Section shall affect the fiscal impact report required by R.S. 24:603.1 to be attached to any legislation mandating health insurance benefits or options prior to its consideration by any committee of either house of the legislature.

C. Nothing in this Section shall be construed to allow a health maintenance organization policy delivered, issued, or renewed after the effective date of this Act to suspend, limit, or modify any mandates in effect on the effective date of this Act.

Section 2. The provisions of that Act which originated as Senate Bill No. 408 of the 2003 Regular Session of the Legislature shall supersede the provisions of this Act, should Senate Bill No. 408 be enacted into law.

Section 3. This Act shall have no effect as to the provisions of Senate Bill No. 666 of the 2003 Regular Session of the Legislature.

Section 4. 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, 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.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____