

2019 Regular Session

HOUSE BILL NO. 345

BY REPRESENTATIVES STOKES, ABRAMSON, ADAMS, ANDERS, BACALA, BAGLEY, BARRAS, BERTHELOT, BILLIOT, BISHOP, BRASS, TERRY BROWN, CARMODY, GARY CARTER, ROBBY CARTER, STEVE CARTER, CHANEY, CONNICK, COUSSAN, COX, DEVILLIER, DUBUISSON, DUPLESSIS, EMERSON, FALCONER, FOIL, GAROFALO, GISCLAIR, GLOVER, JIMMY HARRIS, HENRY, HILFERTY, HILL, HOFFMANN, HORTON, HUVAL, JACKSON, JAMES, JEFFERSON, ROBERT JOHNSON, JONES, JORDAN, LACOMBE, LEGER, LEOPOLD, LYONS, MACK, MARCELLE, MARINO, MCMAHEN, MOORE, PEARSON, POPE, PUGH, PYLANT, RICHARD, SCHEXNAYDER, SMITH, STAGNI, STEFANSKI, TALBOT, THOMAS, AND ZERINGUE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

INSURANCE/HEALTH: Provides for coverage for breast and ovarian cancer susceptibility screening

1 AN ACT

2 To enact R.S. 22:1028.1, relative to breast and ovarian cancer susceptibility screening; to
3 require health insurance coverage for genetic screening for breast and ovarian cancer
4 susceptibility for certain individuals; to provide for applicability; to provide for an
5 effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1028.1 is hereby enacted to read as follows:

8 §1028.1. Required coverage for breast and ovarian cancer susceptibility screening

9 A. The legislature hereby finds that a woman’s lifetime risk of developing
10 breast or ovarian cancer is greatly increased if she inherits a harmful mutation in the
11 BRCA1 or BRCA2 genes. Testing for the presence of BRCA1 or BRCA2 gene
12 mutations may allow for interventions to reduce the risk for cancer or cancer-related
13 death in women who are BRCA mutation carriers.

14 B.(1) Any health coverage plan delivered or issued for delivery in this state
15 shall include coverage for the cost of the genetic testing of the BRCA1 and BRCA2

1 genes to detect an increased risk for breast and ovarian cancer when recommended
2 by a healthcare provider in accordance with the United States Preventive Services
3 Task Force recommendations for testing.

4 (2) The coverage provided in this Section may be subject to annual
5 deductibles, coinsurance, and copayment provisions as are consistent with those
6 established under the health coverage plan.

7 C. For purposes of this Section, "health coverage plan" means any hospital,
8 health, or medical expense insurance policy, hospital or medical service contract,
9 employee welfare benefit plan, contract, or other agreement with a health
10 maintenance organization or a preferred provider organization, health and accident
11 insurance policy, or any other insurance contract of this type in this state, including
12 a group insurance plan, a self-insurance plan, and the Office of Group Benefits
13 programs. "Health coverage plan" shall not include a plan providing coverage for
14 excepted benefits as defined in R.S. 22:1061, limited benefit health insurance plans,
15 and short-term policies that have a term of less than twelve months.

16 Section 2(A). This Act shall become effective on January 1, 2020.

17 (B) This Act shall apply to any new policy, contract, program, or health coverage
18 plan issued on and after January 1, 2020. Any policy, contract, or health coverage plan in
19 effect prior to January 1, 2020, shall convert to conform to the provisions of this Act on or
20 before the renewal date, but no later than January 1, 2021.

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)]

HB 345 Reengrossed

2019 Regular Session

Stokes

Abstract: Requires coverage for the testing of the BRCA1 and BRCA2 genes to detect an increased risk for breast and ovarian cancer when recommended by a healthcare provider.

Proposed law requires any health benefit plan delivered or issued for delivery in this state to include coverage for the cost of testing of the BRCA1 and BRCA2 genes to detect an increased risk for breast and ovarian cancer when recommended by a healthcare provider in accordance with the U.S. Preventive Services Task Force recommendations for testing.

The coverage required by proposed law may be subject to annual deductibles, coinsurance, and copayment provisions as are consistent with those established under the health coverage plan.

Proposed law defines "health coverage plan".

Proposed law applies to any new policy, contract, program, or health coverage plan issued on and after Jan. 1, 2020. Any policy, contract, or health coverage plan in effect prior to Jan. 1, 2020, shall convert to conform to the provisions of proposed law on or before the renewal date, but no later than Jan. 1, 2021.

Effective Jan. 1, 2020.

(Adds R.S. 22:1028.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Insurance to the original bill:

1. Delay the deadline for existing insurance policies to conform to proposed law to Jan. 1, 2021.