AN ACT

To enact R.S. 22:1057, relative to insurance coverage for COVID-19; to require coverage for certain tests and treatments for COVID-19; to prohibit application of cost-sharing provisions; to define key terms; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1.  R.S. 22:1057 is hereby enacted to read as follows:

§1057. Coverage for COVID-19 tests and treatments

A. No health coverage plan delivered or issued for delivery in this state shall deny coverage for COVID-19 diagnostic tests, antibody tests, and antiviral drugs when ordered by a physician for the purpose of making clinical decisions or treating a patient suspected of having COVID-19.

B. Any health coverage plan delivered or issued for delivery in this state shall include coverage for COVID-19 diagnostic tests, antibody tests, and antiviral drugs in accordance with this Section.

C. The coverage required in this Section shall not be subject to annual deductibles, coinsurance, copayment, or any other out-of-pocket or cost-sharing expense provisions until December 31, 2021. After December 31, 2021, these services may be subject to these cost-sharing requirements.

D. For purposes of this Section, the following definitions apply:

(1) "COVID-19" means the coronavirus disease 2019 as designated by the World Health Organization.
(2) "COVID-19 diagnostic test" or "diagnosis test" means a test that is fully approved or granted an Emergency Use Authorization by the United States Food and Drug Administration (FDA) and is ordered by a physician for the purpose of diagnosing an active infection or determining recovery from an active infection. "COVID-19 diagnostic test" or "diagnosis test" shall not include a test used for employment-related or public health surveillance testing.

(3)(a) "COVID-19 antibody test" means a test that meets all of the following requirements:

(i) Is fully approved or granted an Emergency Use Authorization by the FDA.

(ii) Follows the Enzyme-Linked Immunosorbent Assay (ELISA) test methodology performed in highly complex clinical laboratories and includes an antibody titer.

(iii) Is ordered by a physician for the purpose of determining the likelihood of a previous infection.

(b) "COVID-19 antibody test" shall not include a test used for employment-related or public health surveillance testing.

(4) "COVID-19 antiviral drug or agent" is a medication that is fully approved or granted an Emergency Use Authorization by the FDA for the treatment or prevention of COVID-19 infections when ordered by a physician.

(5) "Health coverage plan" means any hospital, health, or medical expense insurance policy, hospital or medical service contract, employee welfare benefit plan, contract, or other agreement with a health maintenance organization or a preferred provider organization, health and accident insurance policy, or any other insurance contract of this type in this state, including a group insurance plan, a self-insurance plan, and the Office of Group Benefits programs. "Health coverage plan" shall not include a plan providing coverage for excepted benefits as defined in R.S. 22:1061, limited benefit health insurance plans, high deductible health plans authorized under federal law, and short-term policies that have a term of less than twelve months.
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.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________