

2016 Regular Session

HOUSE BILL NO. 816

BY REPRESENTATIVE TALBOT

INSURANCE/HEALTH: Provide relative to certificates of creditable coverage

1 AN ACT

2 To amend and reenact R.S. 22:1062(D)(1), relative to certificates of coverage provided by
3 group health plans and certain health insurance issuers; to provide that such
4 certificates shall be sent within twenty days of a request; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1062(D)(1) is hereby amended and reenacted to read as follows:

8 §1062. Increased portability through limitation on preexisting condition exclusions

9 * * *

10 D.(1) A group health plan, and a health insurance issuer offering group
11 health insurance coverage, shall ~~provide~~ send the certification of the period of
12 creditable coverage no more than twenty days after such certification is requested by
13 an individual who ceases to be covered under the issuer's policy or plan.

14 ~~(a) At the time an individual ceases to be covered under the plan or~~
15 ~~otherwise becomes covered under a COBRA continuation provision.~~

16 ~~(b) In the case of an individual becoming covered under such a provision,~~
17 ~~at the time the individual ceases to be covered under such provision.~~

18 ~~(c) On the request on behalf of an individual made not later than twenty-four~~
19 ~~months after the date of cessation of the coverage described in Subparagraph (a) or~~
20 ~~(b) of this Paragraph, whichever is later. The certification under Subparagraph (a)~~

1 of this Paragraph may be provided, to the extent practicable, at a time consistent with
2 notices required under any applicable COBRA continuation provision.

3 * * *

4 Section 2. This Act shall become effective upon signature by the governor or, if not
5 signed by the governor, upon expiration of the time for bills to become law without signature
6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
7 vetoed by the governor and subsequently approved by the legislature, this Act shall become
8 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. 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 816 Reengrossed

2016 Regular Session

Talbot

Abstract: Provides that certificates of creditable coverage provided by group health plans and certain health insurance issuers shall be sent within 20 days of request.

Present law requires a group health plan, and a health insurance issuer offering group health coverage, to provide certification of the period of creditable coverage at various times, including when an individual ceases to be covered under the plan or under a COBRA (Consolidated Omnibus Budget Reconciliation Act) continuation provision, pursuant to the federal HIPAA (Health Insurance Portability and Accountability Act) law.

Proposed law instead requires that such certification of creditable coverage be sent no more than 20 days after it is requested by an individual who ceases to be covered under the issuer's policy or plan.

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

(Amends R.S. 22:1062(D)(1))

Summary of Amendments Adopted by House

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

1. Delete requirement that certificates of creditable coverage be provided when requested. Instead require that such certificates be sent within 20 days of request.

The House Floor Amendments to the engrossed bill:

1. Delete present law providing for provision of certificates of creditable coverage at various times pursuant to the federal HIPAA law.