
SENATE COMMITTEE AMENDMENTS

2026 Regular Session

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 246
by Senator Luneau

1 AMENDMENT NO. 1

2 On page 1, line 3, after "intelligence" and before "by" insert "and automated decision
3 systems"

4 AMENDMENT NO. 2

5 On page 1, line 5, after "appeals;" insert "to provide for applicability;"

6 AMENDMENT NO. 3

7 On page 1, line 16, after "intelligence" and before the comma "," insert "or an automated
8 decision system"

9 AMENDMENT NO. 4

10 On page 2, at the beginning of line 3, change "A." to "A.(1)"

11 AMENDMENT NO. 5

12 On page 2, between lines 7 and 8, insert the following:

13 "(2) "Automated decision system" as used in this Section means any
14 computational process derived from machine learning, statistical modeling, data
15 analytics, or artificial intelligence that issues simplified output, including but
16 not limited to a score, classification, or recommendation, that is used to assist
17 or replace human discretionary decision making and materially impacts a
18 natural person."

19 AMENDMENT NO. 6

20 On page 2, line 11, after "intelligence" and before "for" insert "or an automated decision
21 system"

22 AMENDMENT NO. 7

23 On page 2, line 12, after "intelligence" and before "for" insert "or an automated decision
24 system"

25 AMENDMENT NO. 8

26 On page 2, at the beginning of line 15, after "intelligence" and before "that" insert "or an
27 automated decision system"

28 AMENDMENT NO. 9

29 On page 2, line 20, after "intelligence" and before "used" insert "or an automated decision
30 system"

31 AMENDMENT NO. 10

32 On page 2, line 22, after "intelligence" and before "shall" insert "or an automated decision
33 system"

1 AMENDMENT NO. 11

2 On page 2, at the beginning of line 29, change "**D.(1)**" to "**D.(1)(a)**"

3 AMENDMENT NO. 12

4 On page 3, at the end of line 1, after "**intelligence**" and before the period "." insert "**or an**
5 **automated decision system**"

6 AMENDMENT NO. 13

7 On page 3, between lines 1 and 2, insert "**(b) Any adverse determination shall be signed**
8 **by a licensed physician who personally reviewed the medical record and is responsible**
9 **for the clinical judgment.**"

10 AMENDMENT NO. 14

11 On page 3, at the beginning of line 10, after "**intelligence**" and before "**use**" insert "**or**
12 **automated decision system**"

13 AMENDMENT NO. 15

14 On page 3, at the beginning of line 13, after "**intelligence**" and before "**at**" insert "**or an**
15 **automated decision system**"

16 AMENDMENT NO. 16

17 On page 3, delete lines 15 through 17

18 AMENDMENT NO. 17

19 On page 3, line 18, change "**(e)**" to "**(d)**"

20 AMENDMENT NO. 18

21 On page 3, between lines 20 and 21, insert the following:

22 **(3)(a) A health insurance issuer shall disclose to the enrollee and the**
23 **department when an artificial intelligence or automated decision system was**
24 **used in any part of a coverage determination or utilization review.**

25 **(b) The health insurance issuer shall document the extent to which any**
26 **artificial intelligence or automated decision system influenced the**
27 **determination.**

28 AMENDMENT NO. 19

29 On page 3, at the end of line 22, after "**intelligence**" and before the period "." insert "**or an**
30 **automated decision system**"

31 AMENDMENT NO. 20

32 On page 3, between lines 22 and 23, insert "**(2) Any adverse determination in which an**
33 **artificial intelligence or automated decision system materially contributed to the**
34 **determination shall be presumed invalid unless the health insurance issuer**
35 **demonstrates that the determination was independently reached through documented**
36 **clinical judgment without reliance upon algorithmic output.**"

37 AMENDMENT NO. 21

38 On page 3, at the beginning of line 23, change "**(2)**" to "**(3)**"

1 AMENDMENT NO. 22

2 On page 3, delete line 24 and insert in lieu thereof "**artificial intelligence or automated**
3 **decision system, the insurer shall not use an artificial intelligence or an automated**
4 **decision system in any**"

5 AMENDMENT NO. 23

6 On page 3, between lines 25 and 26, insert the following:

7 **"F.(1) An entity subject to this Section shall allow the commissioner to**
8 **inspect and audit the artificial intelligence or automated decision system for**
9 **compliance with this Section and review policies and procedures for how the**
10 **artificial intelligence or automated decision system is used in the determination**
11 **process.**

12 **(2) The commissioner may require submission and independent review**
13 **of any artificial intelligence or automated decision system used in utilization**
14 **review.**

15 **(3) Upon request of the commissioner, a health insurance issuer shall**
16 **disclose the data sources, training parameters, and validation methods used to**
17 **develop any artificial intelligence or automated decision system used in coverage**
18 **determinations.**

19 **(4) The health insurance issuer shall pay for any independent review that**
20 **the commissioner deems necessary."**

21 AMENDMENT NO. 24

22 On page 4, line 4, after "**request,**" and before "**review**" insert "**to**"

23 AMENDMENT NO. 25

24 On page 4, line 5, after "**intelligence**" and before "**as**" insert "**or an automated decision**
25 **system**"

26 AMENDMENT NO. 26

27 On page 4, after line 6, insert the following:

28 "Section 2. The provisions of this Act shall apply to any new policy, contract,
29 program, or health coverage plan issued on or after January 1, 2027. Any policy, contract,
30 or health coverage plan in effect prior to January 1, 2027, shall convert to conform to the
31 provisions of this Act on or before the renewal date, but no later than January 1, 2028."