

2019 Regular Session

HOUSE BILL NO. 308

BY REPRESENTATIVE JORDAN

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

INSURANCE/HEALTH: Prohibits lifetime and annual limits on health insurance benefits

## 1 AN ACT

2 To enact R.S. 22:1066.1, relative to dollar amount limits on health insurance benefits; to  
3 prohibit lifetime limits; to prohibit annual limits; to provide for applicability; to  
4 establish exceptions; to provide for interpretation; to define key terms; and to  
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1066.1 is hereby enacted to read as follows:

8 §1066.1. Benefit limits; lifetime; annual

9 A. Except as provided for in Subsection C of this Section, any health  
10 coverage plan issued for delivery, delivered, renewed, or otherwise contracted for in  
11 this state on or after January 1, 2020, shall provide coverage without any lifetime  
12 limit on the dollar amount of benefits for any individual.

13 B. Except as provided for in Subsections C and D of this Section, any health  
14 coverage plan newly issued for delivery, delivered, renewed, or otherwise contracted  
15 for in this state on or after January 1, 2020, shall provide coverage without any  
16 annual limit on the dollar amount of benefits for any individual.

17 C. This Section shall apply only to covered benefits that are either of the  
18 following:

1           (1) Included among the covered benefits of the base-benchmark plan  
2           selected for the state of Louisiana for calendar year 2019 pursuant to 45 CFR Section  
3           156.

4           (2) Required as a state mandated health benefit pursuant to Title 22 of the  
5           Louisiana Revised Statutes of 1950.

6           D. Subsection B of this Section shall not apply to a health coverage plan that  
7           meets all of the following criteria:

8           (1) Is health insurance coverage offered only to individuals in the individual  
9           market.

10          (2) Covers only individuals who have been continuously covered by the  
11          health coverage plan since March 23, 2010.

12          (3) Is qualified as a grandfathered health plan coverage pursuant to 29 CFR  
13          Section 2590.715-1251 as of calendar year 2019.

14          E. No provision of this Section shall be interpreted to require any health  
15          coverage plan issued for delivery, delivered, renewed, or otherwise contracted for in  
16          this state to include particular covered benefits.

17          F. As used in this Section, "health coverage plan" shall mean any hospital,  
18          health, or medical expense insurance policy, hospital or medical service contract,  
19          employee welfare benefit plan, contract or agreement with a health maintenance  
20          organization or a preferred provider organization, health and accident insurance  
21          policy, or any other insurance contract of this type, including a group insurance plan  
22          and the Office of Group Benefits plans.

23          G. The provisions of this Section shall not apply to limited benefit health  
24          insurance policies or contracts, as defined by R.S. 22:47.

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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)]

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HB 308 Engrossed

2019 Regular Session

Jordan

**Abstract:** Prohibits annual and lifetime dollar amount limits on health insurance benefits.

Proposed law requires any health coverage plan issued for delivery, delivered, renewed, or otherwise contracted for in this state on or after Jan. 1, 2020, to provide coverage without any lifetime limit or annual limit on the dollar amount of benefits for any individual.

Proposed law applies only to covered benefits that are either of the following:

- (1) Included among the covered benefits of the base-benchmark plan selected for the state of Louisiana for calendar year 2019.
- (2) Required as a state mandated health benefit pursuant to the La. Insurance Code.

Proposed law does not apply to limited benefit health insurance policies or contracts or to a health coverage plan that meets all of the following criteria:

- (1) Is health insurance coverage offered only to individuals in the individual market.
- (2) Covers only individuals who have been continuously covered by the health coverage plan since March 23, 2010.
- (3) Is qualified as a grandfathered health plan coverage pursuant to federal law as of calendar year 2019.

Proposed law shall not be interpreted to require any health coverage plan issued for delivery, delivered, renewed, or otherwise contracted for in this state to include particular covered benefits.

Proposed law defines "health coverage plan".

(Adds R.S. 22:1066.1)

Summary of Amendments Adopted by House

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

1. Limit the exemption for grandfathered health coverage plans to those that are offered to individuals in the individual market who have been continuously covered by the health coverage plan since March 23, 2010.
2. Add an exemption for limited benefit health insurance policies.