The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Beth O'Quin.

DIGEST

SB 104 Engrossed

2023 Regular Session

Stine

<u>Proposed law</u> requires any health coverage plan renewed, delivered, or issued for delivery, in this state to include coverage for biomarker testing for the purpose of diagnosis, treatment, appropriate management, or ongoing monitoring of an individual's disease or condition when the test is supported by medical and scientific evidence, including any one of the following:

- (1) Labeled indications for diagnostic tests approved or cleared by the United States Food and Drug Administration (FDA) or indicated diagnostic tests for a drug approved by the FDA.
- (2) Warnings and precautions listed on a FDA approved drug label.
- (3) Centers for Medicare and Medicaid Services National Coverage Determination or a Medicare Administrative Contractor Local Coverage Determination.
- (4) Nationally recognized clinical practice guidelines and consensus statements.

<u>Proposed law</u> authorizes the coverage is subject to annual deductibles, coinsurance, and copayment provisions as are consistent with those established under the health plan.

<u>Proposed law</u> requires individuals and healthcare providers have access to clear, readily accessible, convenient processes to request exceptions to a coverage policy or adverse determination review determination of a health coverage plan. Requires the process to be included on a health coverage plan's website.

<u>Proposed law</u> requires a health coverage plan to ensure coverage under <u>proposed law</u> is provided in a manner that limits disruptions in care, including the need for multiple biopsies or biospecimen samples.

<u>Proposed law</u> defines biomarker, biomarker testing, consensus statements, health coverage plans, and Nationally recognized clinical practice guidelines.

Effective August 1, 2023.

(Adds R.S. 22:1028.5)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Insurance to the original bill

- 1. Provides that tests are diagnostic tests.
- 2. Makes technical changes.