

2024 Regular Session

SENATE BILL NO. 300

BY SENATOR DUPLESSIS

INSURANCE POLICIES. Provides for health insurance coverage of pregnancy-related and postpartum healthcare services. (8/1/24)

1 AN ACT

2 To enact R.S. 22:1059.4 and 1059.5, relative to health insurance coverage for pregnancy-  
3 related and postpartum healthcare services; to provide for coverage of nutrition  
4 counseling services; to provide for coverage of lactation consultant services; to  
5 prohibit discriminatory language; to provide for definitions; to provide for  
6 applicability; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:1059.4 and 1059.5 are hereby enacted to read as follows:

9 **§1059.4. Required coverage for pregnancy-related nutrition counseling**  
10 **services; reimbursement discrimination prohibited; definitions**

11 **A. The legislature hereby finds and affirms all of the following:**

12 **(1) Louisiana has one of the highest maternal and infant mortality rates**  
13 **in the United States and has a compelling interest and obligation to promote**  
14 **practices that improve maternal and infant health outcomes.**

15 **(2) A healthy diet and weight before, during, and after pregnancy can**  
16 **promote positive health outcomes for mothers and babies. Access to nutrition**  
17 **services in the beginning of a pregnancy can lead to increased positive outcomes**

1 for both mothers and babies.

2 B.(1) Any health coverage plan delivered or issued for delivery in this  
3 state that provides benefits for maternity services shall include coverage for  
4 pregnancy-related nutrition counseling services provided by a licensed dietitian  
5 or licensed nutritionist in the first trimester of the pregnancy when  
6 recommended by the treating healthcare provider. Coverage provided pursuant  
7 to this Section shall not require a diagnosis of gestational diabetes or any other  
8 chronic health condition.

9 (2) The coverage provided for in this Section may be subject to annual  
10 deductibles, coinsurance, and copayments consistent with those established  
11 under the health coverage plan.

12 C. Terminology in any health coverage plan policy or contract deemed  
13 discriminatory against licensed dietitians or licensed nutritionists or their  
14 services is void and unenforceable.

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

16 (1) "Health coverage plan" means any hospital, health, or medical  
17 expense insurance policy, hospital or medical service contract, employee welfare  
18 benefit plan, contract, or other agreement with a health maintenance  
19 organization or a preferred provider organization, health and accident  
20 insurance policy, or any other insurance contract of this type in this state,  
21 including a group insurance plan, a self-insurance plan, and the Office of Group  
22 Benefits programs. "Health coverage plan" does not include a plan providing  
23 coverage for excepted benefits as defined in R.S. 22:1061, limited benefit health  
24 insurance plans, and short-term policies that have a term of less than twelve  
25 months.

26 (2) "Licensed dietitian" or "licensed nutritionist" means a person  
27 licensed to provide nutrition-related services pursuant to the "Louisiana  
28 Dietetics/Nutrition Practice Act of 1987", R.S. 37:3081 et seq.

29 §1059.5. Required coverage for lactation support services; reimbursement

1                                    **discrimination prohibited; definitions**

2                                    **A. The legislature hereby finds and affirms all of the following:**

3                                    **(1) Louisiana has one of the highest maternal and infant mortality rates**  
4                                    **in the United States and has a compelling interest and obligation to promote**  
5                                    **practices that improve maternal and infant health outcomes.**

6                                    **(2) Breastfeeding for all infants starting at birth and continuing until at**  
7                                    **least six months of age has been recommended by the World Health**  
8                                    **Organization and the American Academy of Pediatrics, and the health benefits**  
9                                    **to infants and mothers have been demonstrated in many studies. Dedicated**  
10                                   **lactation consultants may play a role in providing education and support to**  
11                                   **pregnant women and new mothers to improve breastfeeding outcomes.**

12                                   **B.(1) Any health coverage plan delivered or issued for delivery in this**  
13                                   **state that provides benefits for maternity services shall include coverage for**  
14                                   **postpartum services provided by a lactation consultant when recommended by**  
15                                   **the treating healthcare provider.**

16                                   **(2) The coverage provided for in this Section may be subject to annual**  
17                                   **deductibles, coinsurance, and copayments consistent with those established**  
18                                   **under the health coverage plan.**

19                                   **C. Terminology in any health coverage plan policy or contract deemed**  
20                                   **discriminatory against lactation consultants or their services is void and**  
21                                   **unenforceable.**

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

23                                   **(1) "Health coverage plan" means any hospital, health, or medical**  
24                                   **expense insurance policy, hospital or medical service contract, employee welfare**  
25                                   **benefit plan, contract, or other agreement with a health maintenance**  
26                                   **organization or a preferred provider organization, health and accident**  
27                                   **insurance policy, or any other insurance contract of this type in this state,**  
28                                   **including a group insurance plan, a self-insurance plan, and the Office of Group**  
29                                   **Benefits programs. "Health coverage plan" does not include a plan providing**

1 coverage for excepted benefits as defined in R.S. 22:1061, limited benefit health  
 2 insurance plans, and short-term policies that have a term of less than twelve  
 3 months.

4 (2) "Lactation consultant" means a person who possesses the skills,  
 5 knowledge, and attitudes to provide breastfeeding assistance to babies and  
 6 mothers and is included on the Louisiana Department of Health's registry of  
 7 persons certified in the state of Louisiana to provide services as a lactation  
 8 consultant pursuant to R.S. 40:2213.

9 Section 2. This Act shall apply to any new policy, contract, program, or health  
 10 coverage plan issued on and after January 1, 2025. Any policy, contract, or health coverage  
 11 plan in effect prior to January 1, 2025, shall convert to conform to the provisions of Section  
 12 1 of this Act on or before the renewal date, but no later than January 1, 2026.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Brandi Cannon.

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## DIGEST

SB 300 Original

2024 Regular Session

Duplessis

Proposed law requires any health coverage plan delivered or issued for delivery in this state that provides benefits for maternity services to include coverage for the following healthcare services when recommended by the treating healthcare provider:

- (1) Nutrition counseling services provided by a licensed dietitian or licensed nutritionist in the first trimester of the pregnancy, regardless of whether there is a diagnosis of gestational diabetes or any other chronic health condition.
- (2) Postpartum services provided by a lactation consultant.

Proposed law provides that the required coverage may be subject to annual deductibles, coinsurance, and copayments consistent with the terms of the health coverage plan.

Proposed law prohibits terminology in any health coverage plan policy or contract that is discriminatory against licensed dietitians, licensed nutritionists, lactation consultants, or their services.

Proposed law defines "health coverage plan", "lactation consultant", "licensed dietitian", and "licensed nutritionist".

Proposed law applies to any new policy, contract, program, or health coverage plan issued on and after Jan. 1, 2025, and requires any policy, contract, or health coverage plan in effect

prior to Jan.1, 2025, to convert to conform to proposed law on or before the renewal date, but no later than Jan.1, 2026.

Effective August 1, 2024.

(Adds R.S. 22:1059.4 and 1059.5)