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

SB 58 Engrossed DIGEST Talbot
2024 Regular Session

Present law defines "health coverage plan", "health insurance issuer", "nationally recognized clinical practice guidelines", "positron emission tomography", "prior authorization", and "utilization review".

Proposed law retains present law but adds a definition for "consensus statements" to mean statements developed by an independent, multidisciplinary panel of experts that utilize a transparent methodology and reporting structure and provides for a conflict-of-interest policy that are published in impactful scientific journals. Proposed law provides these statements are aimed at specific clinical circumstances and based on the best available evidence for the purpose of optimizing the outcomes of clinical care.

Present law prohibits a health coverage plan from denying a prior authorization or payment of claims for any procedure, pharmaceutical, or diagnostic test to be provided or performed for the diagnosis and treatment of cancer, if the procedure, pharmaceutical, or test is recommended by nationally recognized clinical practice guidelines for use in the diagnosis or treatment of the insured's specific type of cancer and clinical state.

Proposed law retains present law but prohibits a health coverage plan from denying a prior authorization or payment of claims for any procedure, pharmaceutical, or diagnostic test to be provided or performed for the diagnosis and treatment of cancer, if the procedure, pharmaceutical, or test is recommended by nationally recognized consensus statements for use in the diagnosis or treatment of the insured's specific type of cancer and clinical state.

Proposed law provides that the commissioner of insurance (commissioner) may issue penalties or cease and desist orders if he determines that any health insurance issuer is not in compliance with proposed law.

Proposed law provides monetary penalties for violations of cease and desist orders.

Proposed law authorizes the commissioner to revoke, suspend, or nonrenew a certificate of authority of any health insurance issuer for noncompliance. Proposed law permits any aggrieved health insurance issuer the opportunity to seek judicial review of certain decisions by the commissioner.

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

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

(Amends R.S. 22:1060.14; adds R.S. 22:1060.12(7) and 1060.17)

Summary of Amendments Adopted by Senate

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

1. Makes technical changes.
2. Changes the consensus statement definition.
3. Removes positron emission tomography from proposed law.
4. Changes the applicability date to January 1, 2025.