The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 295 Original | 2026 Regular Session | Wheat

Proposed law requires every health coverage plan delivered or issued for delivery in this state to provide, to the extent permitted by federal law, coverage for medically necessary treatment related to or as a result of an acquired brain injury.

Proposed law prohibits any lifetime limitation or unreasonable annual limitation of the number of days or sessions of treatment services. Proposed law further provides that any limitations on rehabilitation services in an inpatient rehabilitation facility shall be separate from and not included in any limitations of post-acute rehabilitation.

Proposed law provides that the required coverage shall not be subject to any greater deductible, coinsurance, copayments, or out-of-pocket limits than any other similar benefit provided by the health coverage plan.

Proposed law prohibits a health coverage plan from denying coverage for medically necessary treatment based solely on the location or setting in which the treatment is provided, if the treatment is provided in a setting that is clinically appropriate and in compliance with applicable state licensure, certification, registration, or accreditation requirements.

Proposed law provides that any adverse determination issued in connection with a preauthorization or utilization review must be made by a clinical peer reviewer. Proposed law further provides for an expedited appeal of any adverse determination by the health coverage plan issuer.

Proposed law provides that covered treatment and services must be provided by individual practitioners and treatment facilities qualified to provide acute care and post-acute care rehabilitation services to a person with an acquired brain injury.

Proposed law defines key terms including "acquired brain injury", "adverse determination", "clinical peer reviewer", "health coverage plan", "medically necessary treatment", and "post-acute residential treatment".

Proposed law applies to any new policy, contract, program, or health coverage plan issued on and after Jan. 1, 2027. Any policy, contract, or health coverage plan in effect prior to Jan. 1, 2027, shall convert on or before the renewal date, but no later than Jan. 1, 2028.

Effective August 1, 2026.

(Adds R.S. 22:1042.1)