

SENATE RESOLUTION NO. 170

BY SENATOR TALBOT

A RESOLUTION

To urge and request the Department of Insurance and the Louisiana Department of Health to conduct a joint comprehensive review and study of the implementation and enforcement of Louisiana's biomarker testing coverage law and to report their findings.

WHEREAS, Louisiana enacted legislation requiring health insurance coverage for biomarker testing when supported by medical and scientific evidence and recognized clinical practice guidelines; and

WHEREAS, biomarker testing plays a critical role in the diagnosis, treatment, and management of cancer and other serious diseases by enabling personalized and precision-based medical care; and

WHEREAS, delays between the initial physician request for biomarker testing and the eventual administration of testing may negatively impact patient outcomes, delay treatment decisions, and increase the risk of disease progression; and

WHEREAS, timely access to evidence-based biomarker testing is increasingly recognized as a standard component of precision medicine and modern cancer care; and

WHEREAS, stakeholders, including patients, healthcare providers, laboratories, and insurers, have raised concerns regarding access to biomarker testing, claims adjudication and utilization management practices, use of Proprietary Laboratory Analyses (PLA) codes, denial patterns, appeals processes, and delays in testing approval and administration; and

WHEREAS, the legislature has an interest in ensuring that the biomarker testing coverage law is being implemented consistently, fairly, and in accordance with legislative intent; and

WHEREAS, a comprehensive review of claims data and implementation practices would assist the legislature in evaluating whether additional statutory or regulatory action is necessary to ensure patient access to medically appropriate biomarker testing.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana

does hereby urge and request the Department of Insurance and the Louisiana Department of Health to conduct a joint comprehensive review and study of the implementation and enforcement of Louisiana's biomarker testing coverage law from January 1, 2024, through the present.

BE IT FURTHER RESOLVED that a written report of findings and recommendations shall be submitted to the Senate and House committees on insurance and the Senate and House committees on health and welfare no later than February 1, 2027.

BE IT FURTHER RESOLVED that the report shall include but not be limited to the following:

(1) The number of biomarker testing claims submitted to health insurers and managed care organizations operating in Louisiana.

(2) The number of claims approved, denied, partially denied, or otherwise not paid in full.

(3) The reasons for denial or adverse benefit determinations, including prior authorization requirements, medical necessity determinations, coding issues, network limitations, or other administrative grounds.

(4) The average length of time between the initial request for biomarker testing by a healthcare provider and the administration or completion of the test.

(5) The number and outcomes of appeals, reconsiderations, grievances, or external reviews related to biomarker testing claims.

(6) A review of all adjudication and utilization management practices associated with biomarker testing claims, including timelines for review and payment.

(7) The utilization and reimbursement of Proprietary Laboratory Analyses (PLA) codes and any other billing codes commonly associated with biomarker testing.

(8) Aggregate approval, denial, and appeal data categorized by insurer, managed care organization, and biomarker testing category to the extent permitted by law.

(9) Identification of any barriers to patient access to biomarker testing services, including administrative, reimbursement, network-related, or timing-related barriers.

(10) Recommendations for legislative, regulatory, or administrative changes necessary to improve compliance, transparency, and patient access.

BE IT FURTHER RESOLVED that the Department of Insurance and the Louisiana Department of Health, in conducting the study, may consult with stakeholders and interested parties, including healthcare providers, patient advocacy organizations, laboratories, insurers, and managed care organizations.

BE IT FURTHER RESOLVED that one print copy and one electronic copy of the report produced pursuant to this Resolution shall be submitted to the David R. Poynter Legislative Research Library as required by R.S. 24:772.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the commissioner of insurance and the secretary of the Louisiana Department of Health.

---

PRESIDENT OF THE SENATE