## **ACT No. 32**

HOUSE BILL NO. 782

## BY REPRESENTATIVE DAVIS

1	AN ACT
2	To amend and reenact R.S. 22:1061(5)(e)(iii) and 1091(B)(13) and (22) and to enact R.S.
3	22:1061(5)(e)(vii), relative to certain definitions in the Insurance Code used in the
4	regulation of health insurance; to define the terms "employer", "small employer",
5	"small group", "large employer", and "large group"; and to provide for related
6	matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 22:1061(5)(e)(iii) and 1091(B)(13) and (22) are hereby amended and
9	reenacted and R.S. 22:1061(5)(e)(vii) is hereby enacted to read as follows:
10	§1061. Definitions
11	As used in R.S. 22:984 and 1061 through 1079, the following terms shall
12	have the following meanings:
13	* * *
14	(5) Other definitions are:
15	* * *
16	(e)
17	* * *
18	(iii) "Small employer" means, in connection with a group health plan with
19	respect to a calendar year and a plan year, an employer who employed an average of
20	at least two one but not more than fifty employees on business days during the
21	preceding calendar year and who employs at least two employees one employee on
22	the first day of the plan year.
23	* * *

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(vii) At the option of a health insurance issuer, the health insurance issuer			
may require that a majority of the employees covered under an employee benefit			
plan are employed or reside in this state, and that there is a bona fide			
employer-employee relationship to prevent the formation of employer groups			
primarily for the purposes of buying health insurance.			

\* \* \*

§1091. Health insurance plans subject to rate review

8 \* \* \*

B. As used in this Subpart, the following terms shall have the meanings ascribed to them in this Section:

11 \* \* \*

(13) "Large group" or "large employer" means, in connection with a group health plan with respect to a calendar year and a plan year, an employer who employed an average of at least fifty-one employees on business days during the preceding calendar year and who employs at least two employees on the first day of the plan year, and beginning on January 1, 2016, an employer who employed an average of at least one hundred one employees on business days during the preceding calendar year and who employs at least two employees on the first day of the plan year.

20 \* \* \*

(22) "Small group" or "small employer" means any person, firm, corporation, partnership, trust, or association actively engaged in business which has employed an average of at least one but not more than fifty employees on business days during the preceding calendar year and who employs at least one employee on the first day of the plan year, and beginning on January 1, 2016, an employer who employed an average of at least one but not more than one hundred employees on business days during the preceding calendar year and who employs at least one employee on the first day of the plan year. "Small group" or "small employer" shall include coverage sold to small groups or small employers through associations or through a blanket policy. For purposes of rate calculation by a health insurance

1	issuer, a small employer group consisting of one employee shall be rated within a
2	health insurance issuer's individual market risk pool, unless that health insurance
3	issuer provides only employer coverage and thus has only a small group market risk
4	pool.
5	* * *
	SPEAKER OF THE HOUSE OF REPRESENTATIVES
	PRESIDENT OF THE SENATE
	GOVERNOR OF THE STATE OF LOUISIANA
	GOVERNOR OF THE STATE OF LOUISIANA

**ENROLLED** 

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APPROVED: