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

DIGEST 2019 Regular Session

Mills

<u>Proposed law</u>, which takes effect only after certain delays following a final and definitive judgment ruling the Patient Protection and Affordable Care Act, P.L. 111-148, (ACA) unconstitutional, requires every health insurance policy or contract issued or issued for delivery in this state to adhere to certain standards. Provides for open enrollment, rate setting, and coverage for dependent children who are under the age of 26. Prohibits preexisting condition exclusions and annual and lifetime limits.

<u>Proposed law</u> requires the attorney general to notify the commissioner, the legislature, and the Louisiana State Law Institute if a judgment ruling the ACA unconstitutional becomes final and definitive. Provides that the provisions of <u>proposed law</u> take effect ten days after receipt by the commissioner of the notification.

<u>Proposed law</u> requires that health insurance policies cover "essential health benefits". Charges the commissioner with defining the essential health benefits that are required. Specifies that the definition shall include certain categories; among these are ambulatory patient services, emergency services, hospitalization, maternity and newborn care and pediatric services, mental health services, prescription drugs, and wellness services. Provides a framework for monitoring, assessing, and updating the definition of essential health benefits package.

<u>Proposed law</u> requires the commissioner to promulgate rules pursuant to the Administrative Procedure Act for purposes of implementing <u>proposed law</u>. Requires initial administrative rules to be adopted before January 1, 2020. Authorizes the commissioner to issue emergency rules without finding an emergency exists.

<u>Proposed law</u> applies to any health insurance policy or contract issued or issued for delivery in this state beginning 10 days after the attorney general notifies the commissioner that the ACA has been ruled unconstitutional.

<u>Proposed law</u> provides that in case of any conflict between the provisions of <u>proposed law</u> and any other provision of law, the provisions of <u>proposed law</u> shall control unless application of <u>proposed</u> law results in a reduction in coverage for any insured.

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

(Adds R.S. 22:11.1 and 1121-1129)

SB 173 Original