

2019 Regular Session

HOUSE BILL NO. 347

BY REPRESENTATIVE STOKES

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

INSURANCE/HEALTH: Provides for the coverage of diagnostic imaging at the same level of coverage as screening mammograms

1 AN ACT

2 To enact R.S. 22:1028.1, relative to coverage for diagnostic imaging for breast cancer; to
3 require coverage for diagnostic imaging at the same level of coverage provided for
4 screening mammograms; to define key terms; to provide for applicability; to provide
5 for an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1028.1 is hereby enacted to read as follows:

8 §1028.1. Required coverage for diagnostic imaging

9 A.(1) Any health coverage plan delivered or issued for delivery in this state
10 shall include coverage for diagnostic imaging at the same level of coverage provided
11 for the minimum mammography examination pursuant to R.S. 22:1028.

12 (2) The health coverage plan may require a referral by the treating physician
13 based on medical necessity for the diagnostic imaging to be eligible for the coverage
14 required pursuant to Paragraph (1) of this Subsection.

15 (3) Any coverage required pursuant to the provisions of this Section shall not
16 be subject to any policy or health coverage plan deductible amount.

17 B. For purposes of this Section:

18 (1) "Diagnostic imaging" means a diagnostic mammogram or breast
19 ultrasound screening for breast cancer designed to evaluate an abnormality in the
20 breast that is any of the following:

1 (a) Seen or suspected from a screening examination for breast cancer.

2 (b) Detected by another means of examination.

3 (c) Suspected based on the medical history or family medical history of the
4 individual.

5 (2) "Health coverage plan" means any hospital, health, or medical expense
6 insurance policy, hospital or medical service contract, employee welfare benefit plan,
7 contract, or other agreement with a health maintenance organization or a preferred
8 provider organization, health and accident insurance policy, or any other insurance
9 contract of this type in this state, including a group insurance plan, a self-insurance
10 plan, and the Office of Group Benefits programs. "Health coverage plan" shall not
11 include a plan providing coverage for excepted benefits as defined in R.S. 22:1061,
12 limited benefit health insurance plans, and short-term policies that have a term of
13 less than twelve months.

14 C. Any provision in a health insurance policy, benefit program, or health
15 coverage plan delivered, renewed, issued for delivery, or otherwise contracted for in
16 this state which is contrary to the provisions of this Section shall, to the extent of the
17 conflict, be void.

18 Section 2.(A) This Act shall become effective on January 1, 2021.

19 (B) This Act shall apply to any new policy, contract, program, or health coverage
20 plan issued on and after January 1, 2021. Any policy, contract, or health coverage plan in
21 effect prior to January 1, 2021, shall convert to conform to the provisions of this Act on or
22 before the renewal date, but no later than January 1, 2022.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

HB 347 Engrossed

2019 Regular Session

Stokes

Abstract: Requires coverage for diagnostic imaging for the presence of breast cancer at the same level of coverage provided for the screening mammography examination.

Present law requires any health coverage plan which is delivered or issued for delivery in this state to include benefits payable for a minimum mammography examination.

Proposed law retains present law and requires any health coverage plan delivered or issued for delivery in this state to include coverage for diagnostic imaging at the same level of coverage provided for the minimum mammography examination pursuant to present law.

Proposed law defines "diagnostic imaging" as a diagnostic mammogram or breast ultrasound screening for breast cancer designed to evaluate an abnormality in the breast that is any of the following:

- (1) Seen or suspected from a screening examination for breast cancer.
- (2) Detected by another means of examination.
- (3) Suspected based on the medical history or family medical history of the individual.

Proposed law authorizes the health coverage plan to require a referral by the treating physician based on medical necessity for the diagnostic imaging to be eligible for the required coverage but prohibits the coverage from being subject to any policy or health coverage plan deductible amount.

Proposed law provides that any provision in a health insurance policy, benefit program, or health coverage plan delivered, renewed, issued for delivery, or otherwise contracted for in this state which is contrary to proposed law shall, to the extent of the conflict, be void.

Proposed law applies to any new policy, contract, program, or health coverage plan issued on and after Jan. 1, 2021. Any policy, contract, or health coverage plan in effect prior to Jan. 1, 2021, shall convert to conform to the provisions of proposed law on or before the renewal date, but no later than Jan. 1, 2022.

Effective Jan. 1, 2021.

(Adds R.S. 22:1028.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Insurance to the original bill:

1. Change the definition of diagnostic imaging.
2. Delay the effective date to Jan. 1, 2021.