

2019 Regular Session

SENATE BILL NO. 219

BY SENATOR BARROW

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

HEALTH/ACC INSURANCE. Requires health insurance policies to adhere to certain standards. (gov sig)

1 AN ACT

2 To enact Subpart I-1 of Part III of Chapter 4 of Title 22 of the Louisiana Revised Statutes
3 of 1950, to be comprised of R.S. 22:1195 through 1198, relative to health insurance;
4 to provide relative to coverage; to require coverage for dependent children; to
5 prohibit preexisting condition exclusions and annual and lifetime limits; to provide
6 for an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Subpart I-1 of Part III of Chapter 4 of Title 22 of the Louisiana Revised
9 Statutes of 1950, comprised of R.S. 22:1195 through 1198 is hereby enacted to read as
10 follows:

11 **I-1. HEALTHCARE BENEFITS PRESERVATION**

12 **§1195. Preexisting condition exclusions prohibited**

13 **A health insurance policy or contract issued or issued for delivery in this**
14 **state after December 31, 2019, shall not impose a preexisting condition**
15 **exclusion.**

16 **§1196. Annual and lifetime limits prohibited**

17 **A health insurance policy or contract issued or issued for delivery in this**

1 **state after December 31, 2019, shall not include either of the following:**

2 **(1) Lifetime limits on the dollar value of benefits for any participant or**
3 **beneficiary.**

4 **(2) Annual limits on the dollar value of essential benefits, as provided in**
5 **R.S. 22:1198, to the extent not inconsistent with applicable federal law.**

6 **§1197. Coverage for dependent children**

7 **A health insurance policy or contract issued or issued for delivery in this**
8 **state after December 31, 2019, that offers coverage for a dependent child shall**
9 **offer dependent coverage, at the option of the policyholder, until the dependent**
10 **child attains the age of twenty-six. An insurer may require, as a condition of**
11 **eligibility for coverage in accordance with this Section, that a person seeking**
12 **coverage for a dependent child provide written documentation on an annual**
13 **basis that the dependent child satisfies the requirements applicable to**
14 **dependent children in this Title. For purposes of this Section, "dependent**
15 **child" includes a dependent grandchild in the legal custody of and residing with**
16 **the grandparent.**

17 **§1198. Application**

18 **The provisions of this Subpart shall apply only to benefits considered to**
19 **be "essential health benefits" as defined under the Patient Protection and**
20 **Affordable Care Act, P.L. 111-148, on January 1, 2019.**

21 Section 2. This Act shall become effective upon signature by the governor or, if not
22 signed by the governor, upon expiration of the time for bills to become law without signature
23 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
24 vetoed by the governor and subsequently approved by the legislature, this Act shall become
25 effective on the day following such approval.

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

DIGEST

SB 219 Engrossed

2019 Regular Session

Barrow

Present federal law, the Patient Protection and Affordable Care Act, P.L. 111-148, (ACA) requires health insurance policies to conform to certain standards. Provides, among other requirements, that dependent children who are eligible to be covered by a parent's policy do not become ineligible due to age until they are 26 years old and that a policy may not contain preexisting condition exclusions or limitations on annual or lifetime benefits.

Proposed law incorporates these three requirements into La. law starting Jan. 1, 2020, applicable only to benefits considered to be "essential health benefits" under the ACA on Jan. 1, 2019.

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

(Adds R.S. 22:1195-1198)