

2020 Regular Session

HOUSE BILL NO. 209

BY REPRESENTATIVE HUVAL

INSURANCE/POLICIES: Authorizes a health insurance issuer to provide policy information electronically

1 AN ACT

2 To enact R.S. 22:2462(F), relative to the electronic delivery of insurance policy information;
3 to authorize insurers to provide documents electronically without affirmative
4 consent; to require written notice to the insured of the availability of a paper copy of
5 documents; to require insurers to provide a paper copy without cost to the insured;
6 and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:2462(F) is hereby enacted to read as follows:

9 §2462. Electronic delivery of insurance documents and notices

10 * * *

11 F.(1) A health insurance issuer may provide a group or individual insurance
12 policy or contract electronically to a party without the affirmative consent of the
13 party if the issuer mails written notice to the party describing all of the following:

- 14 (a) How to access the policy or contract electronically.
- 15 (b) That a paper form of the policy or contract may be requested at any time.
- 16 (c) How to request a copy of the paper form.
- 17 (d) That the paper form will be provided without any cost to the party.

18 (2) A health insurance issuer that receives a request from a party for a paper
19 form of the policy or contract shall provide the copy without any cost to the party.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

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 209 Engrossed

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Abstract: Allows a health insurance issuer to provide a policy or contract electronically without affirmative consent if the issuer mails written notice to the party describing how to access the document electronically and how to request a paper form of the document.

Present law authorizes an insurance issuer to deliver, store, or present by electronic means any notice or other document required by law in an insurance transaction or that is to serve as evidence of insurance coverage if the electronic means meet the requirements of the La. Uniform Electronic Transactions Act and the receiving party has affirmatively consented electronically, or confirmed consent electronically, in a manner that reasonably demonstrates that the party can access information in the electronic form that will be used for notices or documents.

Proposed law retains present law.

Proposed law further authorizes a health insurance issuer to provide a group or individual insurance policy or contract electronically without affirmative consent if the issuer mails written notice to the party describing how to access the policy or contract electronically, that a paper form of the document may be requested at any time and will be provided without cost to the party, and how to request the paper copy.

Proposed law requires a health insurance issuer that receives a request from a party for a paper form of the policy to provide the copy without any cost to the party.

(Adds R.S. 22:2462(F))