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 DIGEST

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SB 366 Engrossed

2022 Regular Session

Harris

Present law (R.S. 22:976.1(B)) requires a health insurance issuer to include any cost-sharing amounts paid by the enrollee or on behalf of the enrollee by another person, when such issuer is calculating the enrollee's contribution to any applicable cost-sharing requirement.

Proposed law retains present law. Proposed law adds that if the present law requirement results in health savings account ineligibility under federal law relative to health savings accounts (26 U.S.C. 223), the requirement will apply for health savings account-qualified high deductible health plans with respect to the deductible of the plan after the enrollee has satisfied the minimum deductible under the federal law.

Proposed law further provides an exception with respect to items or services that are preventative care relative to safe harbor for absence of a preventative care deductible (26 U.S.C. 223(c)(2)(C)), in which case the requirements of proposed law apply regardless of whether the minimum deductible under federal law has been satisfied.

Present law authorizes the commissioner of insurance to promulgate rules and regulations necessary to implement present and proposed law. Proposed law specifies for rule promulgation to be in accordance with the APA. Otherwise retains present law.

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

(Amends R.S. 22:976.1(B) and (D))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Insurance to the original bill

1. Makes technical changes.

Summary of Amendments Adopted by House

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

1. Make technical changes.