

2024 Regular Session

SENATE BILL NO. 100

BY SENATOR DUPLESSIS

INSURANCE POLICIES. Provides health insurance coverage for certain injectable drugs.  
(gov sig)

1 AN ACT

2 To enact R.S. 22:1028.6, relative to health insurance; to provide coverage for injectable  
3 drugs for the improvement of glucose levels or weight loss; to provide coverage  
4 requirements; to provide definitions; to provide for applicability; to provide an  
5 effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1028.6 is hereby enacted to read as follows:

8 **§1028.6. Required coverage for injectable drugs to improve glucose levels or for**  
9 **weight loss**

10 **A. As used in this Section, the following terms shall have the following**  
11 **meanings:**

12 **(1) "Body mass index" means a practical marker used to assess the**  
13 **degree of obesity, calculated by dividing the weight in kilograms by the height**  
14 **in meters squared.**

15 **(2) "Health coverage plan" means any hospital, health, or medical**  
16 **expense insurance policy, hospital or medical service contract, employee welfare**  
17 **benefit plan, contract, or other agreement with a health maintenance**

1 organization or a preferred provider organization, health and accident  
2 insurance policy, or any other insurance contract of this type in this state,  
3 including a group insurance plan, self-insurance plan, and the Office of Group  
4 Benefits programs. "Health coverage plan" does not include a plan providing  
5 coverage for excepted benefits defined in R.S. 22:1061, limited benefit health  
6 insurance plans, and short-term policies that have a term of less than twelve  
7 months.

8 (3) "Injectable drug" means a drug approved by the United States Food  
9 and Drug Administration for use to lower glucose levels or for weight loss.

10 (4) "Obesity" means a body mass index equal to or greater than thirty  
11 kilograms per meter squared.

12 B.(1) No health coverage plan renewed, delivered, or issued for delivery  
13 in this state shall deny coverage for an injectable drug to lower glucose levels or  
14 for weight loss if all of the following apply:

15 (a) The injectable drug has been approved by the United States Food and  
16 Drug Administration for use to lower glucose levels or for weight loss.

17 (b) The drug is prescribed by a licensed healthcare provider for the  
18 treatment of prediabetes, gestational diabetes, or obesity when a covered person  
19 is diagnosed or has been previously diagnosed with prediabetes, gestational  
20 diabetes, or obesity, and the drug is medically necessary for the treatment of  
21 this disease or condition.

22 (c) The drug is on the insurer's formulary or preferred drug list, if any.

23 (2) The coverage provided in this Section may be subject to annual  
24 deductibles, coinsurance, and copayment provisions as are consistent with those  
25 established under the health coverage plan and may be subject to prior  
26 authorization.

27 (3) A health coverage plan may include a provision that an injectable  
28 drug used for the treatment of prediabetes, gestational diabetes, or obesity  
29 continue to be medically necessary as certified by the treating healthcare

1           provider.

2                   **(4) A health coverage plan may include a provision that a covered person**  
 3                   **shall participate in a lifestyle management plan administered by the health**  
 4                   **coverage plan, if available.**

5           Section 2. This Act shall apply to any new policy, contract, program, or health  
 6           coverage plan issued on and after January 1, 2025. Any policy, contract, or health coverage  
 7           plan in effect prior to January 1, 2025, shall convert to conform to this Act on or before the  
 8           renewal date, but no later than January 1, 2026.

9           Section 3. This Act shall become effective upon signature by the governor or, if not  
 10           signed by the governor, as provided by Article III, Section 18 of the Constitution of  
 11           Louisiana. If vetoed by the governor and subsequently approved by this legislature, this Act  
 12           shall become effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Beth O'Quin.

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DIGEST

SB 100 Original

2024 Regular Session

Duplessis

Proposed law provides definitions for "body mass index", "health coverage plan", "injectable drug", and "obesity".

Proposed law requires a health coverage plan renewed, delivered, or issued for delivery in this state to provide coverage for an injectable drug to lower glucose levels or for weight loss, if all of the following apply:

- (1) The drug has been approved by the United States Food and Drug Administration (FDA) for lowering glucose levels or for weight loss.
- (2) The drug that is approved by the FDA is prescribed by a licensed healthcare provider for the treatment of prediabetes, gestational diabetes, or obesity and the covered person is diagnosed or previously diagnosed with prediabetes, gestational diabetes, or obesity, and the drug is medically necessary for the treatment of prediabetes, gestational diabetes, or obesity.
- (3) The drug is on the insurer's formulary or preferred drug list, if any.

Proposed law provides a health coverage plan may apply annual deductibles, coinsurance, and copayment provisions as are consistent with those established under the health coverage plan and coverage may be subject to prior authorization.

Proposed law authorizes a health coverage plan to include a provision that the treatment for prediabetes, gestational diabetes, or obesity continue to be medically necessary as certified by a healthcare provider.

Proposed law authorizes a health coverage plan to require a covered person using an

injectable drug to lower glucose or for weight loss to participate in a lifestyle management plan administered by the health coverage plan, if available.

Proposed law is effective for any new policy, contract, program, or health coverage plan in effect prior to Jan. 1, 2025, and for any policy, contract, or health coverage plan in effect prior to Jan. 1, 2025, the policy, contract, or health coverage in effect is required to conform to the provisions of proposed law on or before the renewal date, but no later than Jan. 1, 2026.

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

(Adds R.S. 22:1028.6)