

2024 Regular Session

SENATE BILL NO. 48

BY SENATOR TALBOT

GENETICS. Provides for health insurance coverage of genetic testing for diseases and other medical conditions. (gov sig)

1 AN ACT

2 To amend and reenact Section 3 of Act No. 324 of the 2023 Regular Session of the
3 Legislature, relative to biomarker testing; to repeal implementation under certain
4 circumstances; to provide applicability; to provide an effective date; and to provide
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Section 3 of Act No. 324 of the 2023 Regular Session of the Legislature
8 is hereby amended and reenacted to read as follows:

9 * * *

10 Section 3.~~(A) The provisions of Sections 1 and 2 of this Act shall become effective~~
11 ~~when an Act of the Louisiana Legislature containing a specific appropriation of monies for~~
12 ~~the implementation of the provisions of this Act becomes effective.~~

13 ~~(B) The provisions of this Section~~ **This Act** shall become effective upon signature
14 by the governor or, if not signed by the governor, upon expiration of the time for bills to
15 become law without signature by the governor, as provided by Article III, Section 18 of the
16 Constitution of Louisiana. If vetoed by the governor and subsequently approved by the
17 legislature, ~~the provisions of this Section~~ **this Act** shall become effective on the day

1 following such approval.

2 Section 2. The provisions of this Act apply to any new policy, contract, program, or
3 health coverage plan issued on and after January 1, 2025.

4 Section 3. This Act shall become effective upon signature by the governor or, if not
5 signed by the governor, upon expiration of the time for bills to become law without signature
6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
7 vetoed by the governor and subsequently approved by the legislature, this Act shall become
8 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 Beth O'Quin.

DIGEST

SB 48 Engrossed

2024 Regular Session

Talbot

Present law requires any health coverage plan renewed, delivered, or issued for delivery in this state to include coverage for biomarker testing for the purpose of the diagnosis, treatment, appropriate management, or ongoing monitoring of an individual's disease or condition when the test provides clinical utility as demonstrated by medical and scientific evidence, including any one of the following:

- (1) Labeled indications for diagnostic tests approved or cleared by the U.S. Food and Drug Administration (FDA) or indicated diagnostic tests for a drug approved by the FDA.
- (2) Warnings and precautions listed on a FDA-approved drug label.
- (3) National Coverage Determinations of the Centers for Medicare and Medicaid Services or Local Coverage Determinations of Medicare Administrative Contractors.
- (4) Nationally recognized clinical practice guidelines.

Present law requires implementation of present law when a specific appropriation is made to make present law effective.

Proposed law repeals present law requiring a specific appropriation be made to make present law effective.

Proposed law applies to any new policy, contract, program, or health coverage plan issued on or after Jan. 1, 2025.

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

(Amends Section 3 of Act No. 324 of 2023 RS)

Summary of Amendments Adopted by Senate

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

1. Removes the consensus statement definition.
2. Removes enforcement provisions.
3. Changes the applicability date to January 1, 2025.
4. Makes technical changes.