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

DIGEST

Claitor (SB 169)

Proposed law prohibits a health insurance issuer from seeking reimbursement from an insurer that provides automobile medical payment coverage to the health insurance issuer's insured or member without obtaining prior written consent of the insured or member or his legal representative.

Proposed law does not prohibit or impair the rights of an insurer or provider from seeking reimbursement of monies paid ; however, the total amount to be reimbursed is not to exceed the amount actually paid by the insurer or provider.

Proposed law requires that a person seeking to enforce the proposed law be entitled to recover court costs and attorney fees in any action or proceeding to enforce proposed law.

Effective August 15, 2011.

(Adds R.S. 22:1881)

Summary of Amendments Adopted by Senate

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

1. Prohibits a health insurance issuer from seeking reimbursement from an insurer that provides automobile medical payment coverage to the health insurance issuer's insured or member without obtaining prior written consent of the insured or member or his legal representative.
2. Provides for the rights of an insurer or provider to seek reimbursement of monies paid pursuant to the insurance policy provided the total amount to be reimbursed shall not exceed the amount actually paid by the insurer or provider.
3. Requires any person seeking to enforce these provisions to be entitled to recover court costs and reasonable attorney fees in any successful action or proceeding.