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

DIGEST

Proposed law requires a health insurance issuer to file information related to any proposed increase in base premium to the commissioner. Further requires the issuer to file with the commissioner, no later than 120 days in advance of the anticipated effective date of the increase, a preliminary justification for each product affected by the increase. Provides for three separate parts of the preliminary justification. Requires the commissioner to ensure that the information received from the health insurance issuer be made available to the public on a department of insurance website.

Proposed law requires the commissioner to evaluate the proposed rate increase within 45 days of receipt of a filing by a health insurance issuer. Further provides information that the commissioner's review of the proposed rate shall include as well as the criteria the commissioner shall use to determine whether a rate increase is excessive, unjustified, or unfairly discriminatory. Requires the commissioner to provide for reasonable means for receipt and consideration of public input on the proposed increase. Prohibits the commissioner from releasing information provided by the health insurance issuer that the issuer has indicated is confidential.

Proposed law requires a health insurance issuer to notify the commissioner whether it intends to utilize the proposed rate increase or to refile within 15 days of receipt of the determination by the commissioner.

Effective 30 days after a final, non-appealable judgment by the United States Supreme Court that includes the merits of the provisions of Section 2794 of the Public Health Service Act and that affirms the validity of such provisions, together with any and all federal regulations promulgated in accordance therewith by any federal agency. The provisions of this Act shall become null and void immediately upon congressional repeal of Section 2794 of the Public Health Service Act.

(Adds R.S. 22:1098)