

Regular Session, 2013  
HOUSE BILL NO. 524

# ACT No. 201

BY REPRESENTATIVE BURRELL AND SENATOR THOMPSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 22:1000(A)(introductory paragraph), (3)(introductory  
3 paragraph), (a), (b), (c), (d), (f), (g), and (h) and to enact R.S. 22:1000(A)(3)(i)  
4 through (o) and (4), relative to group blanket health and accident insurance; to  
5 provide additional special groups for purposes relative to group blanket health and  
6 accident insurance; to clarify provisions relative to policies of group blanket health  
7 and accident insurance; to provide for applicability; and to provide for related  
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 22:1000(A)(introductory paragraph), (3)(introductory paragraph),  
11 (a), (b), (c), (d), (f), (g), and (h) are hereby amended and reenacted and R.S.  
12 22:1000(A)(3)(i) through (o) and (4) are hereby enacted to read as follows:

13 §1000. Group, family group, blanket, and association health and accident insurance  
14 A. Any insurer authorized to write health and accident insurance in this state  
15 shall have the power to issue policies described in this Section; provided that no  
16 policy issued pursuant to this Section shall conflict with other provisions of this Title  
17 or with federal law including but not limited to relevant provisions of law governing  
18 major medical health and accident policies.

19 \* \* \*

20 (3) Blanket health and accident insurance is any policy covering special  
21 groups of persons as enumerated in ~~one~~ any of the following ~~Subparagraphs (a)~~  
22 ~~through (g)~~:

23 (a) Under a policy or contract issued to any common carrier or to any  
24 operator, owner, or lessee of a means of transportation that operates as a common

1 carrier, which shall be deemed the policyholder, covering a group defined as all  
 2 persons who may become passengers on such common carrier or means of  
 3 transportation.

4 (b) Under a policy issued to an employer, who shall be deemed the  
 5 policyholder, covering any group of employees, dependents, or guests defined by  
 6 reference to ~~exceptional~~ hazards incident to activities or operations of the  
 7 policyholder ~~such employment~~.

8 (c) Under a policy issued to a college, school, or other institution of learning,  
 9 a school district or districts or school jurisdictional unit, or to the head, ~~or~~ principal,  
 10 or governing board thereof, ~~of that institution~~ who or which shall be deemed the  
 11 policyholder, covering students, ~~or~~ teachers, employees, or volunteers.

12 (d) Under a policy issued in the name of any volunteer or governmental fire  
 13 department, first aid, civil defense, or other such volunteer group, which shall be  
 14 deemed the policyholder, covering any group ~~all of the~~ members, participants, or  
 15 volunteers incident to any activities or operations sponsored or supervised by ~~of~~ such  
 16 department or group.

17 \* \* \*

18 (f) Under a policy or contract issued to a sports team, camp, or sponsor  
 19 thereof, which shall be deemed the policyholder, covering members, campers,  
 20 employees, officials, supervisors, or volunteers.

21 (g) Under a policy or contract issued to a religious, charitable, recreational,  
 22 educational, or civic organization or branch thereof, which shall be deemed the  
 23 policyholder, covering any group of members, participants, or volunteers defined by  
 24 reference to specified hazards incident to any activities or operations sponsored or  
 25 supervised by or on the premises of such policyholder.

26 (h) Under a policy or contract issued to a newspaper or other publisher,  
 27 which shall be deemed the policyholder, covering its carriers.

28 (i) Under a policy or contract issued to a restaurant, hotel, motel, resort,  
 29 innkeeper, or other group with a high degree of potential customer liability, which  
 30 shall be deemed the policyholder, covering patrons, guests, or volunteers.

1            (j) Under a policy or contract issued to a health maintenance organization,  
 2            a health care provider or other arranger of health services, which shall be deemed the  
 3            policyholder, covering subscribers, patients, donors, and surrogates, provided that  
 4            the coverage is not made a condition of receiving care or that major medical health  
 5            and accident coverage may not be provided to subscribers or other enrollees pursuant  
 6            to this Section.

7            (k) Under a policy or contract issued to a bank or other financial association  
 8            or institution, vendor, or to a parent holding company or to the trustee, trustees, or  
 9            agent designated by one or more banks or other financial associations or institutions  
 10           or vendors under which account holders, credit card holders, debtors, guarantors, or  
 11           purchasers are insured.

12           (l) Under a policy or contract issued to an incorporated or unincorporated  
 13           association of persons having a common interest or calling, formed for purposes  
 14           other than obtaining insurance, which association shall be deemed the policyholder,  
 15           covering members or participants of such association.

16           (m) Under a policy or contract issued to a travel agency or other organization  
 17           that provides travel related services, which organization shall be deemed the  
 18           policyholder, to cover all persons for which travel related services are provided.

19           ~~(f)~~(n) Under a policy issued to any other ~~substantially similar group risk or~~  
 20           class of risks ~~which that~~, in the discretion of the commissioner of insurance, may be  
 21           subject to the issuance of a blanket health and accident policy. The discretion of the  
 22           commissioner may be exercised on an individual risk basis or class of risks, or both.

23           ~~(g)~~(o) Under a policy or contract issued to the Department of Health and  
 24           Hospitals, which shall be deemed the policyholder, covering a group defined as all  
 25           persons who are eligible for medical assistance pursuant to a coverage program  
 26           implemented pursuant to approval of the secretary of the United States Department  
 27           of Health and Human Services using authority granted under Section 1115 of the  
 28           Social Security Act.

29           ~~(h)~~(4) An individual application shall not be required from a person covered  
 30           under such a blanket policy. The insurer shall furnish to the policyholder for

1 delivery to the insured a certificate of insurance ~~which~~ that shall disclose the  
 2 benefits, limitations, exclusions, and reductions contained in the policy and the  
 3 provisions relating to notice of claim, proof of loss, time of payment of claim, and  
 4 any other relevant information, including the name and address of the insurer. All  
 5 benefits under any such blanket policy shall be payable to the person insured, or to  
 6 his designated beneficiary or beneficiaries, if the policy permits the designation of  
 7 named beneficiaries, or to his estate, except that if the person insured ~~be~~ is a minor  
 8 such benefits may be made payable to his parent, guardian, or other person actually  
 9 supporting him.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_