

2016 Regular Session

HOUSE BILL NO. 341

BY REPRESENTATIVE TALBOT

INSURANCE COMMISSIONER: Provides relative to registration of discount medical plan organizations with the commissioner of insurance

1 AN ACT

2 To amend and reenact R.S. 22:1260.4(B)(10), relative to discount medical plan  
3 organizations; to provide with respect to registration of such organizations with the  
4 commissioner of insurance; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 22:1260.4(B)(10) is hereby amended and reenacted to read as  
7 follows:

8 §1260.4. Procedure for registration

9 \* \* \*

10 B. The application shall be on a form prescribed by the commissioner,  
11 accompanied by any supporting documentation and shall be signed and verified by  
12 the applicant. The information required by the application shall include the  
13 following items:

14 \* \* \*

15 (10) The name and address of the applicant's Louisiana statutory agent for  
16 service of process, notice of demand, or if not domiciled in this state, the name and  
17 address of the applicant's appointed Louisiana statutory agent for service of process  
18 or a power of attorney executed by the applicant, appointing the commissioner as the  
19 true and lawful attorney of the applicant in and for this state upon whom all law

1 process in any legal action or proceeding against the discount medical plan  
2 organization on a cause of action arising in this state may be served.

3 \* \* \*

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 341 Engrossed

2016 Regular Session

Talbot

**Abstract:** Provides with respect to the application for registration as a discount medical plan organization with the commissioner of insurance, by allowing a discount medical plan organization not domiciled in this state to appoint a La. statutory agent for service of process.

Present law provides for regulation of discount medical plan organizations by the commissioner of insurance. Defines a "discount medical plan" as a business arrangement or contract in which a person, in exchange for fees, dues, charges, or other valuable consideration, provides access for plan members to providers of medical services and the right to receive medical services from those providers at a discount. Defines a "discount medical plan organization" as any person or organization that operates a discount medical plan and contracts with providers, provider networks, or other discount medical plan organizations to offer access to medical services at a discount.

Present law prohibits any discount medical plan organization from conducting business or otherwise operating in the state unless it is registered with the commissioner of insurance. Specifies that registration includes the submission of a detailed application including the following information: the name and address of each person owning 10% or more of the entity operating the discount medical plan; a sample copy of a contract with a member which includes a general description of the member's rights under the discount medical plan; a description of the member complaint procedures to be established and maintained by the applicant; and the name and address of the applicant's La. statutory agent for service of process. However, for an applicant not domiciled in this state, instead requires a power of attorney executed by the applicant, appointing the insurance commissioner as his agent for service of process.

Proposed law additionally allows an applicant for registration as a discount medical plan organization which is not domiciled in this state to appoint a La. statutory agent for service of process. Requires such an applicant to submit such agent's name and address as part of the information required as part of the application.

(Amends R.S. 22:1260.4(B)(10))