

2021 Regular Session

SENATE BILL NO. 84

BY SENATOR TALBOT

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

INSURANCE POLICIES. Provides for health insurance coverage of genetic testing for various cancer mutations. (1/1/22)

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AN ACT

To enact R.S. 22:1028.3, relative to health insurance coverage; to require health insurance coverage for genetic testing for various cancer mutations; to provide for the definition of health coverage plan; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1028.3 is hereby enacted to read as follows:

**§1028.3. Required coverage for genetic testing for cancer**

**A. The legislature hereby finds that cancer is a leading cause of death in this state. Medical advances in genetic testing for various types of cancer including but not limited to breast, ovarian, colon, thyroid, prostate, pancreatic, melanoma, sarcoma, kidney, and stomach cancers greatly assist in estimating the chance of developing cancer in an individual's lifetime. Genetic testing can help predict the risk of a particular cancer and assist in determining if a patient has genes that may pass increased cancer risks to their children.**

**B.(1) Any health coverage plan renewed, delivered, or issued for delivery in this state shall include coverage for the cost of genetic or molecular testing for cancer including but not limited to tumor mutation testing, next generation**

1 sequencing, hereditary germline mutation testing, pharmacogenomic testing,  
2 whole exome and genome sequencing.

3 (2) The coverage provided in this Section may be subject to annual  
4 deductibles, coinsurance, and copayment provisions as are consistent with those  
5 established under the health coverage plan.

6 C. For purposes of this Section, "health coverage plan" means any  
7 hospital, health, or medical expense insurance policy, hospital or medical  
8 service contract, employee welfare benefit plan, contract, or other agreement  
9 with a health maintenance organization or a preferred provider organization,  
10 health and accident insurance policy, or any other insurance contract of this  
11 type in this state, including group insurance plan, a self-insurance plan, and the  
12 office of group benefits programs. "Health coverage plan" shall not include a  
13 plan providing coverage for excepted benefits defined in R.S. 22:1061, limited  
14 benefit health insurance plans, and short-term policies that have a term of less  
15 than twelve months.

16 Section 2. This Act shall become effective on January 1, 2022 and shall apply to any health  
17 coverage plan as defined in this Act that is renewed, delivered, or issued for delivery, in this  
18 state on or after January 1, 2022.

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

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## DIGEST

SB 84 Original

2021 Regular Session

Talbot

Proposed law requires any health coverage plan renewed, delivered, or issued for delivery, in this state include coverage for the cost of genetic or molecular cancer testing including but not limited to tumor mutation testing, next generation sequencing, hereditary germline mutation testing, pharmacogenomic testing, whole exome, and genome sequencing.

Proposed law authorizes the coverage for genetic cancer testing to be subject to annual deductibles, coinsurance, and copayments.

Proposed law defines health coverage plan as any hospital, health, or medical expense insurance policy, hospital or medical service contract, employee welfare benefit plan, contract, or other agreement with a health maintenance organization or a preferred provider organization, health and accident insurance policy, or any other insurance contract of this type in the state, including group insurance plans, self-insurance plans, and the office of group benefits programs. Excludes a plan providing coverage for excepted benefits in

present law, limited benefit health insurance plans, and short-term policies that have a term of less than 12 months.

Proposed law applies to health coverage plans renewed, delivered, or issued for delivery in their state on or after January 1, 2022.

Effective January 1, 2022.

(Adds R.S. 22:1028.3)