
SENATE COMMITTEE AMENDMENTS

2026 Regular Session

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 246
by Senator Luneau

1 AMENDMENT NO. 1

2 On page 2, at the beginning of line 3, change "A." to "A.(1)"

3 AMENDMENT NO. 2

4 On page 2, between lines 7 and 8, insert the following:

5 **"(2) "Automated decision system" as used in this Section means any**
6 **computational process derived from machine learning, statistical modeling, data**
7 **analytics, or artificial intelligence that issues simplified output, including but**
8 **not limited to a score, classification, or recommendation, that is used to assist**
9 **or replace human discretionary decision making and materially impacts a**
10 **natural person."**

11 AMENDMENT NO. 3

12 On page 3, between lines 1 and 2, insert "**(b) Any adverse determination shall be signed**
13 **by a licensed physician who personally reviewed the medical record and is responsible**
14 **for the clinical judgment."**

15 AMENDMENT NO. 4

16 On page 2, at the beginning of line 29, change "D.(1)" to "D.(1)(a)"

17 AMENDMENT NO. 5

18 On page 3, delete lines 15 through 17

19 AMENDMENT NO. 6

20 On page 3, line 18, change "(e)" to "(d)"

21 AMENDMENT NO. 7

22 On page 3, between lines 20 and 21, insert the following:

23 **"(3)(a) A health insurance issuer shall disclose to the enrollee and the**
24 **department when an artificial intelligence or automated decision system was**
25 **used in any part of a coverage determination or utilization review.**

26 **(b) The health insurance issuer shall document the extent to which any**
27 **artificial intelligence or automated decision system influenced the**
28 **determination."**

29 AMENDMENT NO. 8

30 On page 3, between lines 22 and 23, insert "**(2) Any adverse determination in which an**
31 **artificial intelligence or automated decision system materially contributed to the**
32 **determination shall be presumed invalid unless the health insurance issuer**
33 **demonstrates that the determination was independently reached through documented**
34 **clinical judgment without reliance upon algorithmic output."**

35 AMENDMENT NO. 9

36 On page 3, at the beginning of line 23, change "(2)" to "(3)"

37 AMENDMENT NO. 10

38 On page 3, between lines 25 and 26, insert the following:

- 1 **"F.(1) An entity subject to this Section shall allow the commissioner to**
- 2 **inspect and audit the artificial intelligence or automated decision system for**
- 3 **compliance with this Section and review policies and procedures for how the**
- 4 **artificial intelligence or automated decision system is used in the determination**
- 5 **process.**
- 6 **(2) The commissioner may require submission and independent review**
- 7 **of any artificial intelligence or automated decision system used in utilization**
- 8 **review.**
- 9 **(3) Upon request of the commissioner, a health insurance issuer shall**
- 10 **disclose the data sources, training parameters, and validation methods used to**
- 11 **develop any artificial intelligence or automated decision system used in coverage**
- 12 **determinations.**
- 13 **(4) The insurer shall pay for any independent review that the**
- 14 **commissioner deems necessary."**