

GREEN SHEET REDIGEST

HB 1151

2016 Regular Session

Robert Johnson

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

**INSURANCE/HEALTH: Provides relative to notice and appeal of a change in coverage of medically necessary prescription drugs and intravenous infusions**

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DIGEST

Proposed law requires that a health insurance issuer proposing to change its coverage of a particular prescription drug or intravenous infusion based on medical necessity give notice of the proposed change to an insured currently using that prescription drug who the health insurance issuer determines the change may affect. Requires that any such notice shall be sent at least 60 days prior to the effective date of the proposed change.

Proposed law further provides that any insured receiving such a notice from a health insurance issuer shall have the right to appeal the proposed change during the 60-day notification period in accordance with present law, the state's appeals law, the Internal Claims and Appeals Process and External Review Act. Also requires that, in filing such an appeal, the insured shall document that his physician or authorized prescriber considers continued use of the drug or intravenous infusion to be medically necessary.

Proposed law makes certain technical changes, in particular to references and citations to present law, the state's appeals law, the Internal Claims and Appeals Process and External Review Act.

Proposed law provides that it shall apply only to a health benefit plan delivered, issued for delivery, or renewed on or after Jan. 1, 2017, and shall not apply to a health benefit plan delivered, issued for delivery, or renewed before Jan. 1, 2017.

Effective January 1, 2017.

(Amends R.S. 22:1060.4(A)(intro. para.) and (B); adds R.S. 22:1060.3(C))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

- 1. Delete provision specifying that the notice shall not be required if the drug or intravenous infusion has been covered for the insured for less than 60 days. Instead provide that the notice shall be required if the drug or intravenous infusion has been covered for the insured for at least the preceding 60 days.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Insurance to the reengrossed bill

- 1. Deletes redundant provision requiring notice to an insured if the health insurance insurer has covered the drug or intravenous infusion for the insured for at least the preceding 60 days. Retains provision requiring notice to all affected insureds.