2018 Regular Session

HOUSE BILL NO. 244

BY REPRESENTATIVE TALBOT

INSURANCE DEPARTMENT: Provides for the regulation of prepaid entities participating in the Louisiana Medicaid Program

1	AN ACT
2	To amend and reenact R.S. 22:1016(A), relative to prepaid entities participating in the
3	Louisiana Medicaid Program; to provide for joint regulation by the Department of
4	Insurance and the Louisiana Department of Health; to authorize rulemaking by the
5	Department of Insurance; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 22:1016(A) is hereby amended and reenacted to read as follows:
8	§1016. Regulation by the Department of Insurance and the Louisiana Department
9	of Health of prepaid entities participating in the Louisiana Medicaid Program
10	A. Notwithstanding any law to the contrary, any prepaid entity that
11	participates in the Louisiana Medicaid Program is required to shall obtain an insurer
12	license or certificate of authority from the Louisiana Department of Insurance. Such
13	a <u>A</u> prepaid entity participating in the Louisiana Medicaid Program shall be jointly
14	regulated by the Louisiana Department of Insurance with respect to licensure and
15	financial solvency but shall, solely with respect to its products and services offered
16	pursuant to the Louisiana Medicaid Program, be regulated by the Louisiana
17	Department of Health, subject to 42 USCA §1396 et seq., and all applicable federal
18	and state laws, rules, and regulations relating to the Louisiana Medicaid Program.
19	The Department of Insurance and the Louisiana Department of Health shall have the
20	authority to may adopt and promulgate such rules and regulations, including

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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1	certification, relating to the Louisiana Medicaid Program. Except for licensure and				
2	financial solvency requirements, no other provisions of this Title shall apply to a				
3	prepaid entity with respect to	the par	ticipatio	on of the prepaid entity in the Louisiana	
4	Medicaid Program.				
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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)]

HB 244 Original2018 Regular Session

Abstract: Provides for joint regulation by the Dept. of Insurance and the La. Dept. of Health of prepaid entities that participate in the La. Medicaid Program.

<u>Present law</u> requires any prepaid entity that participates in the La. Medicaid Program (Medicaid) to obtain an insurer license or certificate of authority from the Dept. of Insurance (DOI).

Proposed law retains present law.

<u>Present law</u> provides that the prepaid entity participating in Medicaid shall be jointly regulated by DOI and the La. Department of Health (LDH) with respect to licensure and financial solvency but be regulated solely by LDH with respect to the products and services offered pursuant to Medicaid.

<u>Proposed law</u> changes the oversight to joint regulation by DOI and LDH for all matters.

<u>Present law</u> authorizes LDH to adopt and promulgate rules and regulations, including certification, relating to Medicaid.

<u>Proposed law</u> retains <u>present law</u> and further authorizes DOI to promulgate rules relative to Medicaid.

<u>Present law</u> provides that, except for licensure and financial solvency requirements, no other provisions of the La. Insurance Code apply to a prepaid entity with respect to the prepaid entity's participation in Medicaid.

Proposed law repeals present law.

(Amends R.S. 22:1016(A))