

2018 Regular Session

SENATE BILL NO. 272

BY SENATOR JOHN SMITH

HEALTH/ACC INSURANCE. Provides for health insurance policy coverage of incarcerated persons prior to adjudication. (8/1/18)

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AN ACT

To enact R.S. 22:1056, relative to health insurance policy coverage of incarcerated persons prior to adjudication; to require insurance coverage for health care provided premiums are paid; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1056 is hereby enacted to read as follows:

§1056. Health insurance coverage for incarcerated individuals

A. Beginning August 1, 2018, every hospital, health, or medical expense insurance policy, hospital or medical service contract, employee welfare benefit plan, health and accident insurance policy, every policy of group, family group, blanket, or association health and accident insurance, and every self-insurance plan, health maintenance organization, and preferred provider organization except for the Office of Group Benefits, delivered or issued for delivery in this state shall provide benefits for health care to the insured if he is detained in a correctional facility and has not been adjudicated or convicted of a criminal offense.

B. The provisions of this Section shall apply only if the detainee has a

1 **valid health insurance policy in effect at the time medical treatment is received.**

2 **C. The provisions of this Section shall apply to all existing hospital,**
3 **health, or medical expense insurance policies, hospital or medical service**
4 **contracts, employee welfare benefit plans, health and accident insurance**
5 **policies, policies of group, family group, blanket, or association health and**
6 **accident insurance, self-insurance plans, health maintenance organizations, and**
7 **preferred provider organization policies, plans, and certificates in effect on**
8 **January 1, 2018, and upon their renewal.**

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

DIGEST

SB 272 Engrossed

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John Smith

Proposed law requires every health insurance policy issued in this state to provide health care insurance coverage for an insured who is incarcerated but who has not been adjudicated or convicted of a criminal offense.

Proposed law applies only if the detainee has a valid health insurance policy in effect at the time medical treatment is received.

Proposed law applies to all health insurance policies in effect on January 1, 2018, and upon renewal thereof and to all policies issued on August 1, 2018, or later.

Effective August 1, 2018.

(Adds R.S. 22:1056)