

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)

1 AN ACT

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

5 Be it enacted by the Legislature of Louisiana:

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

7 **§1056. Health insurance coverage for incarcerated individuals**

8 **A. Beginning January 1, 2019, every hospital, health, or medical expense**  
9 **insurance policy, hospital or medical service contract, employee welfare benefit**  
10 **plan, health and accident insurance policy, every policy of group, family group,**  
11 **blanket, or association health and accident insurance, and every self-insurance**  
12 **plan, health maintenance organization, and preferred provider organization**  
13 **except for the office of group benefits, delivered or issued for delivery in this**  
14 **state shall provide benefits for health care to the insured if he is detained in a**  
15 **correctional facility and has not been adjudicated or convicted of a criminal**  
16 **offense. Nothing herein shall alter any of the terms and conditions of the**  
17 **applicable coverage which shall remain applicable to all such services provided.**

1                    **B. The provisions of this Section shall apply only if the detainee has valid**  
 2                    **health care coverage in effect at the time medical treatment is received and any**  
 3                    **premiums for such coverage are current.**

4                    **C. The provisions of this Section shall apply to all existing hospital,**  
 5                    **health, or medical expense insurance policies, hospital or medical service**  
 6                    **contracts, employee welfare benefit plans, health and accident insurance**  
 7                    **policies, policies of group, family group, blanket, or association health and**  
 8                    **accident insurance, self-insurance plans, health maintenance organizations, and**  
 9                    **preferred provider organization policies, plans, and certificates in effect on**  
 10                   **January 1, 2019, and upon their renewal.**

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The original instrument was prepared by Cheryl Cooper. The following digest, which does not constitute a part of the legislative instrument, was prepared by Nancy Vicknair.

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DIGEST

SB 272 Reengrossed

2018 Regular Session

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Proposed law requires, beginning January 1, 2019, 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. Prohibits alteration of the terms and conditions of applicable coverage and requires applicability for all services provided.

Proposed law applies only if the detainee has valid health care coverage in effect at the time medical treatment is received and any premiums for such coverage are current.

Proposed law applies to all health insurance policies in effect on January 1, 2019, and upon renewal thereof.

Effective August 1, 2018.

(Adds R.S. 22:1056)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Changes the date that health insurance coverage must be provided to an insured detainee from August 1, 2018 to January 1, 2019.
2. Provides that proposed law apply only if the detainee has valid health care coverage at the time medical treatment is received and the premiums for such coverage are current.
3. Prohibits alteration of the terms and conditions of applicable coverage and requires such coverage to be applicable for all such services provided.

4. Provides that proposed law applies to all insurance policies in effect on January 1, 2019, and upon renewal thereof, rather than January 1, 2018.