

2018 Regular Session

SENATE BILL NO. 480

BY SENATOR JOHNS

GROUP BENEFITS PROGRAM. Provides with respect to the Office of Group Benefits.
(8/1/18)

1 AN ACT

2 To amend and reenact R.S. 42:802(D), 808(E) and 881(B) and to enact R.S. 42:808(F),
3 relative to the Office of Group Benefits; to eliminate the requirement that all
4 programs be adopted through the Administrative Procedure Act; to eliminate the
5 necessity for the Policy and Planning Board to approve benefits plans or proposed
6 rate structures; to provide for eligibility in group programs; to provide for an
7 effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 42:802(D), 808(E) and 881(B) are hereby amended and reenacted
10 and R.S. 42:808(F) is hereby enacted to read as follows:

11 §802. Powers and duties; Office of Group Benefits

12 * * *

13 D.(1) Notwithstanding any other provision of this Section to the contrary,
14 ~~any new plan of benefits or the annual plan of benefits submitted under the direction~~
15 ~~of the commissioner of administration for~~ **any change to** the life, health, or other
16 benefit programs **program** offered through the Office of Group Benefits **that would**
17 **increase the cost to the state by one million dollars or more annually,** or any

1 professional, personal, ~~and or~~ social services ~~contracts~~ **contract** other than ~~contracts~~
2 **a contract** for legal services or actuarial services negotiated through the Office of
3 Group Benefits under the provisions of Chapter 17 of Subtitle III of Title 39 of the
4 Louisiana Revised Statutes of 1950 as provided in Subsection A and Paragraph
5 (B)(8) of this Section or any ~~contracts~~ **contract** in connection therewith shall be
6 subject to review and final approval ~~by the appropriate standing committees of the~~
7 ~~legislature having jurisdiction over review of agency rules by the Office of Group~~
8 ~~Benefits as designated by R.S. 49:968(B)(21)(c), or the subcommittees on oversight~~
9 ~~of such standing committees, and the office of state procurement of the division of~~
10 ~~administration~~ **by the Senate Committee on Finance and the House Committee**
11 **on Appropriations.**

12 (2) ~~The implementation of these programs or contracts in connection~~
13 ~~therewith shall constitute a rule as defined by R.S. 49:951(6) and shall be adopted~~
14 ~~and implemented through the procedures set forth in the Administrative Procedure~~
15 ~~Act.~~

16 (3) Additionally, any adjustments to such contracts in the amount of one
17 million dollars or more shall require the review and approval of the oversight
18 committees before the modified contracts may be implemented. Such adjustments
19 shall indicate the fiscal impact to the plan of benefits as well as the rate structure, if
20 any, over the subsequent three years or maximum contract period.

21 * * *

22 §808. Eligibility in group programs

23 * * *

24 E. Notwithstanding any provision of law to the contrary, ~~any person with a~~
25 ~~developmental disability who acquired such disability prior to attaining the age of~~
26 ~~twenty-one, with one parent whose coverage of such person was terminated as a~~
27 ~~result of lost employment of the parent and one parent who is an employee, as~~
28 ~~defined in Paragraphs (A)(1) and(3) of this Section, participating in life, health, or~~
29 ~~other programs sponsored by the Office of Group Benefits, shall be covered as a~~

1 ~~dependent of such parent participating in life, health, or other programs sponsored~~
2 ~~by the Office of Group Benefits, regardless of the age of the person with a~~
3 ~~developmental disability.~~ **and in particular the provisions of R.S. 22:1001, 1003,**
4 **and 1003.1, the Office of Group Benefits is authorized to offer group insurance**
5 **coverage to the following dependents of an enrollee:**

6 **(1) The spouse of the enrollee, as defined by the office.**

7 **(2) A child of the enrollee, until the end of the month the child attains the**
8 **age of twenty-six, unless coverage is terminated earlier as provide in this**
9 **Section.**

10 **(3) For purposes of this Section, "child" means:**

11 **(a) The issue of a marriage of the enrollee.**

12 **(b) A natural child of the enrollee.**

13 **(c) A legally adopted child of the enrollee or a child placed for adoption**
14 **with the enrollee.**

15 **(d) The child of a male enrollee, if a court of competent jurisdiction has**
16 **issued an order of filiation declaring the paternity of the enrollee for the child or**
17 **the enrollee has formally acknowledged the child.**

18 **(e) The issue of a previous marriage or a natural or legally adopted child**
19 **of the enrollee's legal spouse, hereinafter "stepchild", which stepchild has not**
20 **been adopted by the enrollee and for whom the enrollee does not have court-**
21 **ordered legal custody, until the earliest of:**

22 **(i) The end of the month the enrollee is no longer married to the**
23 **stepchild's parent.**

24 **(ii) The end of the month of the death of the enrollee's spouse who is the**
25 **stepchild's parent.**

26 **(iii) The end of the month the stepchild attains the age of twenty-six.**

27 **(f) A grandchild in the court-ordered legal custody of and residing with**
28 **the grandparent enrollee, until the end of the month the grandchild attains the**
29 **age of twenty-six. For purposes of this Paragraph, "grandchild" means a child**

1 of a child of the enrollee.

2 (g) A dependent for whom the enrollee has court-ordered legal custody
3 or court-ordered legal guardianship but who is not a child or grandchild, as
4 defined in this Paragraph, of the enrollee until the end of the month the custody
5 or guardianship order expires or the end of the month the dependent attains the
6 age of eighteen, whichever is earlier.

7 F. (1) Attainment of the respective limiting age of a child or grandchild,
8 as defined in Paragraph (E)(3) of this Section, shall not operate to terminate the
9 coverage of such child or grandchild if the child or grandchild became incapable
10 of self-sustaining employment by reason of physical or mental disability prior to
11 attaining the respective limiting age, provided that before the child or grandchild
12 reaches the limiting age, but no earlier than six months prior thereto, an
13 application for continued coverage is filed with the office on a form designated
14 by the office, and the application is subsequently approved. This application
15 shall be accompanied by an attestation from the dependent's attending physician
16 setting forth the specific physical or mental disability and certifying that the
17 child or grandchild is incapable of self-sustaining employment by reason of that
18 disability. The office may require additional medical or other supporting
19 documentation regarding the disability to process the application.

20 (2) After the initial approval, the office may require the submission of
21 additional medical or other supporting documentation substantiating the
22 continuance of the disability, but not more frequently than annually, as a
23 precondition to continued coverage.

24 * * *

25 §881. Establishment of the Group Benefits Policy and Planning Board

26 * * *

27 B. The Group Benefits Policy and Planning Board shall use any official
28 information provided by the Group Benefits Estimating Conference as may be
29 necessary in the review and approval of benefits plans and proposed rate structures

1 required by this Section.

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

DIGEST

SB 480 Engrossed 2018 Regular Session Johns

Present law provides for the powers and duties of the Office of Group Benefits (OGB).

Present law requires any new plan of benefits or the annual plan of benefits submitted under the direction of the commissioner of administration for the life, health, and other benefit programs offered through OGB or any professional, personal, and social services contracts other than contracts for legal services or actuarial services to be subject to review and final approval by the appropriate standing committees of the legislature having jurisdiction over review of agency rules for OGB.

Proposed law requires any change to the life, health, and other benefit programs offered through OGB that would increase the cost to the state by one million dollars or more annually and any contract for professional, personal, or social services, other than a contract for legal or actuarial services, to be subject to review and final approval by the Senate Committee on Finance and the House Committee on Appropriations.

Present law requires the implementation of programs or contracts offered through OGB to be adopted and implemented through the procedures set forth in the Administrative Procedure Act.

Proposed law deletes present law.

Present law provides that any person with a developmental disability who acquired such disability prior to attaining the age of 21, with one parent whose coverage of such person was terminated as a result of lost employment of the parent and one parent who is an employee, as defined in present law, participating in life, health, or other programs sponsored by OGB, shall be covered as a dependent of such parent participating in life, health, or other programs sponsored by OGB, regardless of the age of the person with a developmental disability.

Proposed law provides that notwithstanding present law, OGB is authorized to offer group insurance coverage to a certain group of dependents (the spouse and child of the enrollee) as defined by proposed law.

Present law requires OGB Policy and Planning Board to use any official information provided by OGB Estimating Conference as may be necessary in the review and approval of benefits plans and proposed rate structures required by present law.

Proposed law retains present law except that OGB is required to use official information provided by the OGB Estimating Conference as may be necessary only in the review of benefit plans and proposed rate structures required by present law.

Effective August 1, 2018.

(Amends R.S. 42:802(D), 808(E) and 881(B); adds R.S. 42:808(F))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill

1. Adds that notwithstanding present law, OGB is authorized to offer group insurance coverage to a certain group of dependents as defined by proposed law.