

RÉSUMÉ DIGEST

SB 141

2022 Regular Session

Morris

Proposed law would have defined "business", "family member", "individual", "insurance plan", "insurer", "underwriting purposes", "vaccination", "vaccination status", and "vaccine".

Proposed law would have prohibited an insurer from subjecting an individual, family member, or business to questions related to vaccination status when such person or business is presently covered, or applying or enrolling for coverage, under an insurance plan.

Proposed law would have prohibited an insurer from requiring or requesting that a business, whether applying or enrolling for coverage or presently covered under the insurance plan, adopt policies and procedures for vaccination status or provide information as to whether such policies and procedures have been adopted.

In determining eligibility for coverage, establishing premiums, limiting coverage, or any other underwriting purposes, proposed law would have prohibited an insurer from doing the following with respect to an individual, family member, or business applying or enrolling for coverage or presently covered under the insurance plan:

- (1) Requiring, requesting, or purchasing information on an individual's, family member's, or business's vaccination status.
- (2) Requiring or requesting that an individual, family member, or business receive a vaccine as a requirement for coverage.
- (3) Terminating, denying, restricting, limiting, excluding, or otherwise applying conditions on any individual, family member, or business based on vaccination status.
- (4) Imposing a rider that excludes coverage for certain benefits or services under the insurance plan, or restricting the sale of the insurance plan based on the individual's, family member's, or business's vaccination status.
- (5) Establishing differentials in premium rates or cost sharing for coverage under the insurance plan based on the individual's, family member's, or business's vaccination status.
- (6) Otherwise discriminating against an individual, family member, or business in the provisions of the insurance plan based on the individual's, family member's, or business's vaccination status.

Proposed law would have excluded life insurance, annuity products, retirement plans, long-term care insurance, reinsurance, dental, vision, and other supplemental benefits from the vaccination status prohibition.

Proposed law would have not prohibited an insurer from incentivizing or rewarding an individual, family member, or business for voluntarily submitting vaccination status with respect to a wellness or health improvement program as provided for in present law (R.S. 22:1017).

Would have become effective August 1, 2022.

(Would have added R.S. 22:860.1)

VETO MESSAGE:

"Please be advised that I vetoed Senate Bill 141 of the 2022 Regular Session.

While I appreciate the author's efforts to enshrine aspects of the Affordable Care Act into state law, limiting the applicability of these protections to vaccination status only could serve to further complicate the already labyrinthine health insurance market. Furthermore, the inclusion of vaccination status only contributes to the false narrative that vaccines are anything other than safe, effective, and vital to protecting public health.

Protecting healthcare consumers requires a comprehensive examination and overhaul of state statutes. I welcome the author of this bill to work with my office on crafting a measure that protects every Louisianans regardless of their pre-existing conditions."