

2026 Regular Session

SENATE BILL NO. 363

BY SENATOR BARROW

HEALTH/ACC INSURANCE. Provides for health insurance. (8/1/26)

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AN ACT

To enact R.S. 22:1128.1, relative to health insurance coverage; to provide for coverage of healthcare services; to provide for definitions; to provide for applicability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1128.1 is hereby enacted to read as follows:

§1128.1. Coverage for skilled care

A. A health insurance issuer shall not substitute a lower level of care for otherwise covered medically necessary treatment when the substitute is contrary to the determination of the treating provider and is based primarily on cost-containment or utilization management criteria that conflict with generally accepted standards of care.

B. For the purposes of this Section, "lower level of care" means any healthcare service or setting that provides less intensive treatment, monitoring, supervision, or therapeutic intervention than that recommended by the treating provider.

C. This Section shall not apply if the substitute level of care is consistent

1 **with generally accepted standards of medical practice and is clinically**
2 **appropriate for the patient's condition.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 363 Engrossed

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Barrow

Proposed law prohibits an insurer from requiring an insured to accept a lower level of care when it is contrary to the determination of the treating provider.

Proposed law provides an exception for an alternative level of care consistent with generally accepted standards of medical practice.

Effective August 1, 2026.

(Adds R.S. 22:1128.1)