

SENATE COMMITTEE AMENDMENTS

2026 Regular Session

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 1235 by Representative Hebert

1 AMENDMENT NO. 1

2 On page 1, line 16, after "H" change "J" to "K"

3 AMENDMENT NO. 2

4 On page 2, delete lines 3 through 29 and insert the following:

5 "B.(1)(a) Eligibility and limits of coverage for prosthetic and orthotic
6 devices and ~~prosthetic~~ services shall be determined by the health coverage plan, in
7 consultation with the enrollee's medical providers and their assessment of ~~based on~~
8 medical necessity.

9 (b) In determining medical necessity, the health coverage plan shall consider
10 the recommendations by the insured's physician or advanced practice provider. Such
11 recommendations shall be based on the most appropriate prosthesis or orthosis that
12 adequately meets the medical needs of the insured to restore or maintain the ability
13 to perform activities of daily living and essential job-related functions.

14 (2) The coverage shall, at a minimum, equal the coverage and prevailing
15 payment rate for prosthetic and orthotic devices provided under federal laws and
16 regulations for the aged and disabled pursuant to 42 U.S.C. 1395k, 1395l, and 1395m
17 and 42 CFR 414.202, 414.210, 414.228, and 410.100.

18 (3) In accordance with Subsection C of this Section, covered benefits shall
19 be provided for more than one prosthesis or orthosis when determined by the health
20 coverage plan to be medically necessary and may not exclude coverage for prosthetic
21 or orthotic devices designed for physical activity or showering and bathing pursuant
22 to blanket exclusions of items used for recreation or leisure, athletic or sports
23 purposes, or luxury or convenience.

24 (4)(a) Any denial or limit of coverage based on lack of medical necessity may
25 be appealed in accordance with ~~R.S. 22:1121~~ R.S. 22:2391 et seq.

26 (b) With respect to claim denials based on medical necessity, such denials
27 shall be in writing and include clear reasoning and descriptions of how and why the
28 request or claim does not meet medical necessity standards.

29 (c) Such medical necessity determination shall consider information and
30 recommendation from the treating physician in consultation with the insured,
31 including but not limited to information in the medical record of the treating
32 prosthetist or orthotist and the results of a functional ~~limit test~~ assessment. Such ~~test~~
33 assessment shall consider but not be limited to the following factors:"

34 AMENDMENT NO. 3

35 On page 3, delete lines 1 through 5 and insert in lieu thereof:

36 ~~(1)~~ (i) The insured's past history, including prior use of prosthetic or orthotic
37 devices if applicable.

38 ~~(2)~~ (ii) The insured's current condition, including the status of the residual
39 limb and the nature of other medical problems.

40 ~~(3)~~ (iii) The insured's desire to ambulate; with respect to lower limb
41 prosthetic"

42 AMENDMENT NO. 4

43 On page 3, line 7, after "an" and before "to" delete "orthosis or prosthesis" and insert
44 "prosthesis or orthosis"

1 AMENDMENT NO. 5

2 On page 3, line 15, between "showering," and "bathing" insert "or"

3 AMENDMENT NO. 6

4 On page 4, line 4, after "D." insert "(1)"

5 AMENDMENT NO. 7

6 On page 4, line 7, after "manner" delete the remainder of the line and insert a period "."

7 AMENDMENT NO. 8

8 On page 4, at the beginning of line 8, insert "(2) Utilization review procedures shall not"

9 AMENDMENT NO. 9

10 On page 4, at the beginning of line 10, insert "(3)"

11 AMENDMENT NO. 10

12 On page 4, line 17, after "plan." delete the remainder of the line

13 AMENDMENT NO. 11

14 On page 4, delete lines 18 through 20

15 AMENDMENT NO. 12

16 On page 4, at the beginning of line 21, change "F." to "F."

17 AMENDMENT NO. 13

18 On page 5, line 17, after "prosthetic" insert "and orthotic"

19 AMENDMENT NO. 14

20 On page 5, line 18, after "prosthetic" insert "and orthotic"

21 AMENDMENT NO. 15

22 On page 7, delete lines 18 through 22 and insert in lieu thereof:

23 "~~(4)~~ (7) "Prosthetic services" means the science and practice of evaluating,
24 measuring, designing, fabricating, assembling, fitting, aligning, adjusting, or
25 servicing of a prosthesis through the replacement of external parts of a human body
26 lost due to amputation or congenital deformities to restore function, cosmesis, or
27 both. It shall also include any medically necessary clinical care."

28 AMENDMENT NO. 16

29 On page 8, line 21, after "delivery" and before "or" insert a comma ","