
HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 645
by Representative Cromer

1 AMENDMENT NO. 1**2** On page 3, between lines 16 and 17, insert the following:

3 "(e) For purposes of this Chapter, Part III of this Chapter relative to external
4 reviews shall only apply to adverse determinations and final adverse determinations
5 that involve medical necessity, appropriateness, health care setting, level of care,
6 effectiveness, or a recission. Part II of this Chapter shall apply to any other adverse
7 determination or final adverse determination."

8 AMENDMENT NO. 2**9** On page 4, line 3, after "(c)" change "A" to "An immediate"**10** AMENDMENT NO. 3**11** On page 4, delete lines 5 through 7 in their entirety**12** AMENDMENT NO. 4**13** On page 4, at the beginning of line 8, change "(e)" to "(d)"**14** AMENDMENT NO. 5

15 On page 8, line 7, after "entity," delete the remainder of the line, delete lines 8 and 9 in their
16 entirety and insert "or any other entity providing a plan of health insurance or health
17 benefits."

18 AMENDMENT NO. 6**19** On page 8, between lines 9 and 10, insert the following:

20 "(32) "Immediately" means as expeditiously as the medical situation of the
21 covered person requires but in no event longer than one day for expedited reviews
22 or one business day for standard reviews."

23 AMENDMENT NO. 7**24** On page 8, at the beginning of line 10, change "(32)" to "(33)"**25** AMENDMENT NO. 8**26** On page 8, at the beginning of line 13, change "(33)" to "(34)"**27** AMENDMENT NO. 9**28** On page 9, at the beginning of line 16, change "(34)" to "(35)"**29** AMENDMENT NO. 10**30** On page 9, at the beginning of line 17, change "(35)" to "(36)"

1 AMENDMENT NO. 11

2 On page 9, at the beginning of line 20, change "(36)" to "(37)"

3 AMENDMENT NO. 12

4 On page 9, at the beginning of line 24, change "(37)" to "(38)"

5 AMENDMENT NO. 13

6 On page 10, at the beginning of line 1, change "(38)" to "(39)"

7 AMENDMENT NO. 14

8 On page 10, at the beginning of line 6, change "(39)" to "(40)"

9 AMENDMENT NO. 15

10 On page 10, at the beginning of line 14, change "(40)" to "(41)"

11 AMENDMENT NO. 16

12 On page 10, at the beginning of line 18, change "(41)" to "(42)"

13 AMENDMENT NO. 17

14 On page 10, at the beginning of line 22, change "(42)" to "(43)"

15 AMENDMENT NO. 18

16 On page 11, at the beginning of line 10, change "(43)" to "(44)"

17 AMENDMENT NO. 19

18 On page 11, at the beginning of line 15, change "(44)" to "(45)"

19 AMENDMENT NO. 20

20 On page 13, at the end of line 29, delete "regulations" and insert "regulations; minimum
21 requirements"

22
23 AMENDMENT NO. 21

24 On page 14, delete line 1 in its entirety and at the beginning of line 2, delete "to comply
25 with" insert the following:

26 "Health insurance issuers shall implement effective processes for appeals of
27 coverage determinations and claims pursuant to"

28 AMENDMENT NO. 22

29 On page 14, at the end of line 5, insert the following:

30 "Under such processes, a health insurance issuer shall, at a minimum:
31 (1) Have in effect an internal claims appeal process.
32 (2) Provide notice to covered persons, in a culturally and linguistically
33 appropriate manner, of available internal and external appeals processes and the
34 availability of the office of consumer advocacy of the Louisiana Department of
35 Insurance to assist such persons with the appeals process.

1 (3) Allow covered persons to review their files, to present evidence and
2 testimony as part of the appeals process, and to receive continued coverage pending
3 the outcome of the appeals process."

4 AMENDMENT NO. 23

5 On page 14, line 16, after "(1)" delete "A" and insert the following:

6 "For matters involving an issue of medical necessity, appropriateness, health care
7 setting, level of care, effectiveness, or a recission, a"

8 AMENDMENT NO. 24

9 On page 15, line 19, after "that" delete the remainder of the line and delete lines 20 and 21
10 in their entirety and insert the following:

11 "any delay in appealing the adverse determination may pose an imminent and serious
12 threat to the covered person's health, including but not limited severe pain, potential
13 loss of life, limb, or major bodily function, or the immediate and serious
14 deterioration of the health of the covered person. The"

15 AMENDMENT NO. 25

16 On page 16, line 26, after "that" delete the remainder of the line, delete line 27 in its entirety
17 and at the beginning of line 28, delete "effective if not promptly initiated," and insert the
18 following:

19 "any delay in appealing the adverse determination may pose an imminent and serious
20 threat to the covered person's health, including but not limited to severe pain,
21 potential loss of life, limb, or major bodily function, or the immediate and serious
22 deterioration of the health of the covered person,"

23 AMENDMENT NO. 26

24 On page 17, at the end of line 20, delete "law." and insert the following:

25 "law, including providing such information to an independent review organization
26 as required by this Part."

27 AMENDMENT NO. 27

28 On page 17, at the end of line 27, delete the period "." and insert

29 "when such determination involves an issue of medical necessity, appropriateness,
30 health care setting, level of care, effectiveness, or a recission."

31 AMENDMENT NO. 28

32 On page 18, line 5, after "(2)" change "A" to "In addition, a"

33 AMENDMENT NO. 29

34 On page 19, line 6, after "that" delete the remainder of the line and delete lines 7 and 8 in
35 their entirety and insert the following:

36 "any delay in appealing the adverse determination may pose an imminent and serious
37 threat to the covered person's health, including but not limited severe pain, potential
38 loss of life, limb, or major bodily function, or the immediate and serious
39 deterioration of the health of the covered person."

1 AMENDMENT NO. 30

2 On page 19, at the end of line 12, insert "grievance"

3 AMENDMENT NO. 31

4 On page 21, line 18, after "representative" delete "and the commissioner"

5 AMENDMENT NO. 32

6 On page 21, at the end of line 22, delete "and the" and at the beginning of line 23, delete
7 "commissioner"

8 AMENDMENT NO. 33

9 On page 22, at the end of line 10, delete "the terms of the covered", delete line 11 in its
10 entirety and insert "all applicable provisions of this"

11 AMENDMENT NO. 34

12 On page 24, line 7, after "information" insert "timely"

13 AMENDMENT NO. 35

14 On page 27, delete lines 25 through 27 in their entirety

15 AMENDMENT NO. 36

16 On page 28, line 2, after "notify" delete "the commissioner and"

17 AMENDMENT NO. 37

18 On page 28, at the end of line 19, delete "the terms of the covered", delete line 20 in its
19 entirety and insert "all applicable provisions of this"

20 AMENDMENT NO. 38

21 On page 32, line 1, after "that" delete the remainder of the line and delete lines 2 through 6
22 in their entirety and insert the following:

23 "any delay in appealing the adverse determination may pose an imminent and serious
24 threat to the covered person's health, including but not limited severe pain, potential
25 loss of life, limb, or major bodily function, or the immediate and serious
26 deterioration of the health of the covered person."

27 AMENDMENT NO. 39

28 On page 32, at the beginning of line 7, change "(c)" to "(b)"

29 AMENDMENT NO. 40

30 On page 32, line 10, after "notify" delete "the commissioner and"

31 AMENDMENT NO. 41

32 On page 32, at the beginning of line 20, change "(d)" to "(c)"

1 AMENDMENT NO. 42

2 On page 32, at the end of line 27, delete "the terms of the covered", delete line 28 in its
3 entirety and insert "all applicable provisions of this"

4 AMENDMENT NO. 43

5 On page 33, at the beginning of line 6, change "(e)" to "(d)"

6 AMENDMENT NO. 44

7 On page 33, at the beginning of line 17, change "(f)" to "(e)"

8 AMENDMENT NO. 45

9 On page 33, line 24, after "B." delete the remainder of the line and delete lines 25 through
10 27 in their entirety

11 AMENDMENT NO. 46

12 On page 33, at the beginning of line 28, delete "(2)"

13 AMENDMENT NO. 47

14 On page 34, at the beginning of line 3, change "(a)" to "(1)"

15 AMENDMENT NO. 48

16 On page 34, at the beginning of line 7, change "(b)" to "(2)"

17 AMENDMENT NO. 49

18 On page 34, at the beginning of line 11, change "(c)" to "(3)"

19 AMENDMENT NO. 50

20 On page 34, at the beginning of line 13, change "(i)" to "(a)"

21 AMENDMENT NO. 51

22 On page 34, at the beginning of line 15, change "(ii)" to "(b)"

23 AMENDMENT NO. 52

24 On page 34, at the beginning of line 17, change "(iii)" to "(c)"

25 AMENDMENT NO. 53

26 On page 34, at the beginning of line 21, change "(d)" to "(4)"

27 AMENDMENT NO. 54

28 On page 34, at the beginning of line 22, change "(i)" to "(a)"

29 AMENDMENT NO. 55

30 On page 34, at the beginning of line 25, change "(ii)" to "(b)"

1 AMENDMENT NO. 56

2 On page 35, at the beginning of line 3, change "e" to "(5)"

3 AMENDMENT NO. 57

4 On page 35, at the beginning of line 7, change "f" to "(6)"

5 AMENDMENT NO. 58

6 On page 35, line 11, after "notify" delete "the commissioner and"

7 AMENDMENT NO. 59

8 On page 35, at the beginning of line 18, delete "commissioner and the"

9 AMENDMENT NO. 60

10 On page 35, line 22, after "person" delete the comma "," and insert "and"

11 AMENDMENT NO. 61

12 On page 35, at the end of line 22, delete "and the" and at the beginning of line 23, delete
13 "commissioner"

14 AMENDMENT NO. 62

15 On page 36, at the end of line 10, delete "the terms", delete line 11 in its entirety and insert
16 "all applicable"

17 AMENDMENT NO. 63

18 On page 50, line 1, after "for" delete "internal claims and appeals process and"

19 AMENDMENT NO. 64

20 On page 50, delete lines 3 through 10 in their entirety

21 AMENDMENT NO. 65

22 On page 50, at the beginning of line 11, delete "B."

23 AMENDMENT NO. 66

24 On page 53, at the beginning of line 4, change "commissioner." to "health insurance issuer."

25 AMENDMENT NO. 67

26 On page 53, line 19, after "§2452." delete "Regulations" and insert "Regulations;
27 preemption"

28 AMENDMENT NO. 68

29 On page 53, at the beginning of line 20, insert "A."

30 AMENDMENT NO. 69

31 On page 53, between lines 23 and 24, insert the following:

1 "B. If at any time a provision of this Chapter is in conflict with federal law
2 or regulations promulgated pursuant to federal law, such a provision shall be
3 preempted only to the extent necessary to avoid direct conflict with such federal law
4 or regulations. The commissioner shall, pursuant to rule or regulation promulgated
5 and adopted in accordance with the Administrative Procedure Act, subsequently
6 administer and enforce this Chapter in a manner that conforms to such federal law
7 or regulations."

8 AMENDMENT NO. 70

9 On page 56, at the end of line 13, change "2014." to "2015."