

Regular Session, 2013

HOUSE BILL NO. 524

BY REPRESENTATIVE BURRELL AND SENATOR THOMPSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 22:1000(A)(introductory paragraph), (3)(introductory
3 paragraph), (a), (b), (c), (d), (f), (g), and (h) and to enact R.S. 22:1000(A)(3)(i)
4 through (o) and (4), relative to group blanket health and accident insurance; to
5 provide additional special groups for purposes relative to group blanket health and
6 accident insurance; to clarify provisions relative to policies of group blanket health
7 and accident insurance; to provide for applicability; and to provide for related
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 22:1000(A)(introductory paragraph), (3)(introductory paragraph),
11 (a), (b), (c), (d), (f), (g), and (h) are hereby amended and reenacted and R.S.
12 22:1000(A)(3)(i) through (o) and (4) are hereby enacted to read as follows:

13 §1000. Group, family group, blanket, and association health and accident insurance
14 A. Any insurer authorized to write health and accident insurance in this state
15 shall have the power to issue policies described in this Section; provided that no
16 policy issued pursuant to this Section shall conflict with other provisions of this Title
17 or with federal law including but not limited to relevant provisions of law governing
18 major medical health and accident policies.

19 * * *

20 (3) Blanket health and accident insurance is any policy covering special
21 groups of persons as enumerated in ~~one~~ any of the following ~~Subparagraphs (a)~~
22 ~~through (g)~~:

23 (a) Under a policy or contract issued to any common carrier or to any
24 operator, owner, or lessee of a means of transportation that operates as a common

1 carrier, which shall be deemed the policyholder, covering a group defined as all
2 persons who may become passengers on such common carrier or means of
3 transportation.

4 (b) Under a policy issued to an employer, who shall be deemed the
5 policyholder, covering any group of employees, dependents, or guests defined by
6 reference to ~~exceptional~~ hazards incident to activities or operations of the
7 policyholder ~~such employment~~.

8 (c) Under a policy issued to a college, school, or other institution of learning,
9 a school district or districts or school jurisdictional unit, or to the head, ~~or~~ principal,
10 or governing board thereof, ~~of that institution~~ who or which shall be deemed the
11 policyholder, covering students, ~~or~~ teachers, employees, or volunteers.

12 (d) Under a policy issued in the name of any volunteer or governmental fire
13 department, first aid, civil defense, or other such volunteer group, which shall be
14 deemed the policyholder, covering any group ~~all of the~~ members, participants, or
15 volunteers incident to any activities or operations sponsored or supervised by ~~of~~ such
16 department or group.

17 * * *

18 (f) Under a policy or contract issued to a sports team, camp, or sponsor
19 thereof, which shall be deemed the policyholder, covering members, campers,
20 employees, officials, supervisors, or volunteers.

21 (g) Under a policy or contract issued to a religious, charitable, recreational,
22 educational, or civic organization or branch thereof, which shall be deemed the
23 policyholder, covering any group of members, participants, or volunteers defined by
24 reference to specified hazards incident to any activities or operations sponsored or
25 supervised by or on the premises of such policyholder.

26 (h) Under a policy or contract issued to a newspaper or other publisher,
27 which shall be deemed the policyholder, covering its carriers.

28 (i) Under a policy or contract issued to a restaurant, hotel, motel, resort,
29 innkeeper, or other group with a high degree of potential customer liability, which
30 shall be deemed the policyholder, covering patrons, guests, or volunteers.

1 (j) Under a policy or contract issued to a health maintenance organization,
 2 a health care provider or other arranger of health services, which shall be deemed the
 3 policyholder, covering subscribers, patients, donors, and surrogates, provided that
 4 the coverage is not made a condition of receiving care or that major medical health
 5 and accident coverage may not be provided to subscribers or other enrollees pursuant
 6 to this Section.

7 (k) Under a policy or contract issued to a bank or other financial association
 8 or institution, vendor, or to a parent holding company or to the trustee, trustees, or
 9 agent designated by one or more banks or other financial associations or institutions
 10 or vendors under which account holders, credit card holders, debtors, guarantors, or
 11 purchasers are insured.

12 (l) Under a policy or contract issued to an incorporated or unincorporated
 13 association of persons having a common interest or calling, formed for purposes
 14 other than obtaining insurance, which association shall be deemed the policyholder,
 15 covering members or participants of such association.

16 (m) Under a policy or contract issued to a travel agency or other organization
 17 that provides travel related services, which organization shall be deemed the
 18 policyholder, to cover all persons for which travel related services are provided.

19 ~~(f)~~(n) Under a policy issued to any other substantially similar group risk or
 20 class of risks which that, in the discretion of the commissioner of insurance, may be
 21 subject to the issuance of a blanket health and accident policy. The discretion of the
 22 commissioner may be exercised on an individual risk basis or class of risks, or both.

23 ~~(g)~~(o) Under a policy or contract issued to the Department of Health and
 24 Hospitals, which shall be deemed the policyholder, covering a group defined as all
 25 persons who are eligible for medical assistance pursuant to a coverage program
 26 implemented pursuant to approval of the secretary of the United States Department
 27 of Health and Human Services using authority granted under Section 1115 of the
 28 Social Security Act.

29 ~~(h)~~(4) An individual application shall not be required from a person covered
 30 under such a blanket policy. The insurer shall furnish to the policyholder for

1 delivery to the insured a certificate of insurance ~~which~~ that shall disclose the
 2 benefits, limitations, exclusions, and reductions contained in the policy and the
 3 provisions relating to notice of claim, proof of loss, time of payment of claim, and
 4 any other relevant information, including the name and address of the insurer. All
 5 benefits under any such blanket policy shall be payable to the person insured, or to
 6 his designated beneficiary or beneficiaries, if the policy permits the designation of
 7 named beneficiaries, or to his estate, except that if the person insured ~~be~~ is a minor
 8 such benefits may be made payable to his parent, guardian, or other person actually
 9 supporting him.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____