

Regular Session, 2014

SENATE BILL NO. 403

BY SENATOR MILLS

HEALTH/ACC INSURANCE. Provides relative to third party payments of health insurance premiums of individuals with HIV/AIDS. (8/1/14)

1 AN ACT

2 To enact R.S. 22:1080, relative to third party premium payments; to provide with respect to  
3 insurers acceptance of third party premium payments; to require acceptance of  
4 premium payments from certain state, federal, or tribal programs or publicly  
5 supported charities; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1080 is hereby enacted to read as follows:

8 **§1080. Third party premium payments; refusal of acceptance**

9 **A. No health insurance issuer or health maintenance organization shall**  
10 **refuse the receipt of a premium payment when such payment is made by a third**  
11 **party to the insurance contract, provided that the payment is made from or**  
12 **pursuant to a fund or grant established by any one of the following:**

13 **(1) The Ryan White HIV/AIDS Program pursuant to Title XXVI of the**  
14 **Public Health Services Act.**

15 **(2) Indian tribes, tribal organizations, or urban Indian organizations.**

16 **(3) State or federal government programs.**

17 **(4) The American Kidney Fund.**

- 1                    **B. This Section shall not be construed to require a health insurance**  
 2                    **issuer or health maintenance organization to accept a third party premium**  
 3                    **payment from a health care provider.**
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The original instrument was prepared by Cheryl Horne. The following digest, which does not constitute a part of the legislative instrument, was prepared by Ann S. Brown.

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#### DIGEST

Mills (SB 403)

Proposed law prohibits a health insurance issuer or health maintenance organization from refusing to accept premium payments when such payment is made by a third party to the insurance contract, provided that the payment is made from any one of the following:

- (1) The Ryan White HIV/AIDS Program pursuant to Title XXVI of the Public Health Services Act.
- (2) Indian tribes, tribal organizations, or urban Indian organizations.
- (3) State or federal government programs.
- (4) The American Kidney Fund.

Effective August 1, 2014.

(Adds R.S. 22:1080)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Insurance to the original bill.

1. Requires acceptance of premium payments from any of the following:
  - (a) The Ryan White HIV/AIDS Program pursuant to Title XXVI of the Public Health Services Act.
  - (b) Indian tribes, tribal organizations, or urban Indian organizations.
  - (c) State or federal government programs.
  - (d) Publicly supported charities within the meaning of Sections 501(c)(3) and 170(b)(1)(A)(vi) of the United States Internal Revenue Code.
2. Makes technical changes.

##### Senate Floor Amendments to engrossed bill

1. Changes one acceptable third party payer from publicly supported charities to the American Kidney Fund.