
The original instrument was prepared by Julie J. Baxter. The following digest, which does not constitute a part of the legislative instrument, was prepared by Jay Lueckel.

DIGEST

Nevers (SB 682)

Proposed law provides that proposed law shall be known and may be cited as the "Louisiana First America Next Freedom and Empowerment Act".

Proposed law provides for certain definitions, including that the plan provided for in proposed law shall be known as the "Louisiana First America Next Freedom and Empowerment Plan".

Proposed law provides for certain legislative findings including to enact positive reforms to move the state's health care system in the right direction and expand access to affordable health care.

Proposed law provides that the purposes of proposed law are as follows:

- (1) To lower health care costs by providing incentives for Louisiana consumers to serve as smart health care shoppers, to save money by engaging in health behaviors and to take control of their health care choices.
- (2) To protect the most vulnerable Louisiana citizens by targeting government resources to those most at risk in our state and by enacting reforms that would guarantee health care access to individuals with pre-existing conditions, senior citizens, individuals with disabilities and the unborn.
- (3) To provide portability and choice to Louisiana consumers by offering personalized choices so that consumers can buy the health care coverage plan they want, not the plan a government bureaucrat tells them to purchase.

Proposed law provides that the Department of Health and Hospitals shall create and administer the plan within the department. Further provides that the department shall promulgate rules to implement proposed law in accordance with the Administrative Procedure Act.

Proposed law provides that, in keeping with the purposes set forth in R.S. 46:979.3, the department shall on or before September 1, 2014, submit to the House and Senate committees on health and welfare and to the governor an outline specifying how it will seek to implement the following health care access reforms in Louisiana beginning January 1, 2015:

- (1) Lowering the cost of health care in Louisiana, including but not limited to actions furthering goals including tax equity without raising taxes, a Louisiana health insurance

program, health savings accounts, greater incentives for wellness, focus on eliminating fraud, and price and quality transparency.

- (2) Protecting the most vulnerable Louisiana citizens, including but not limited to actions furthering goals including guaranteed access for pre-existing conditions, premium support, Medicaid reform, and life protections.
- (3) Portability and choice, including but not limited to actions furthering goals including Louisiana-based reforms to expand access, better access for individuals changing employers, pooling mechanisms, cross-state insurance purchasing, lawsuit reform, and freedom for senior citizens to choose.

Proposed law provides that the department may work with any other state departments to effect the plan's purposes and shall do so with all deliberate speed as to effect health care reforms in a timely manner.

Proposed law provides that the department may utilize any federal or state funding, or any other source of revenue, available to implement this plan. Requires, prior to implementation, that the department develop the plan, including a determination of the cost, and submit the plan with the cost estimate to the Joint Legislative Committee on the Budget for approval.

Proposed law provides that the plan may include premium support or insurance premium subsidies for eligible individuals to enable their enrollment in a health insurance plan.

Proposed law provides that the department shall be specifically authorized to pay supplemental cost-sharing subsidies directly to health insurance plans or health savings accounts for participants in the plan.

Proposed law provides that an eligible individual offered health insurance access, enrolled in health insurance coverage or allowed to create a health savings account, shall affirmatively acknowledge the existence of certain facts, including that the plan shall not be a perpetual federal or state right or guaranteed entitlement; the plan shall be subject to cancellation upon appropriate notice; and the plan shall not be an entitlement program.

Proposed law provides that the state may implement cost-sharing and copays, as a condition of participation in the plan, for plan participants whose earning shall exceed 50% of the applicable federal poverty level.

Proposed law provides that the department shall recommend appropriate adjustments in funding to the legislature, and the adjustments shall be made by the legislature as appropriate.

Proposed law provides for certain quarterly reports to the Joint Legislative Committee on the Budget.

Proposed law provides for certain annual reports by the secretary of the department to the House

and Senate committees on health and welfare and to the governor, which shall include certain information, and that such reports shall be made publicly available on the department's Internet website.

Proposed law provides that annually during each regular session of the legislature, the legislature shall have the authority to decide whether to continue the program.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 46:979.1 - 979.6)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

1. Clarifies legislative and administrative intent language.
2. Requires, prior to implementation, that the department develop the plan, including a determination of the cost, and submit the plan with the cost estimate to the Joint Legislative Committee on the Budget for approval.