

Prior law provided that no policy of health and accident insurance shall be delivered or issued for delivery in this state, nor any endorsement, rider, or application that becomes part of any such policy be used in connection therewith until a copy of the form and premium rates and the classifications of risks pertaining thereto have been filed with the commissioner of insurance. Required the commissioner to provide written notification to the insurer that has filed the form if it does not comply with provisions of prior law. Upon such notice, it is unlawful for such insurer to issue such form in this state. Permitted an aggrieved party affected by the commissioner's act to demand a hearing in accordance with prior law.

Prior law permitted the commissioner to withdraw his approval of any such form on any of the grounds stated in prior law. Provided that it shall be unlawful for the insurer to issue such form or use it in connection with any policy after the effective date of such withdrawal of approval. Prohibited the commissioner from disapproving or withdrawing the approval of any such policy on the ground that its provisions do not comply with health and accident policy provision requirements as stated in prior law or on the ground that it is not printed in uniform type if it can be shown that the rights of the insured or beneficiary under the policy as a whole are not less favorable than the rights provided in prior law.

New law exempts all policy forms and premium rates for major health and accident and dental policies from disclosure to any person under the Public Records Law until the beginning of the open enrollment period of the policy year in which the forms and rates are to be utilized. Requires a health insurance issuer, including a health maintenance organization, to mark such filings as confidential or proprietary to utilize the exemption. New law provides that the exemption shall not prevent the commissioner from publishing a summary or description of rate filings in the course of an effective rate review program in accordance with federal law.

Effective upon signature of governor (June 18, 2014).

(Amends R.S. 44:4.1(B)(11); adds R.S. 22:972(D))