

SENATE BILL NO. 244

BY SENATOR MORRISH

1 AN ACT

2 To amend and reenact R.S. 44:4.1(B)(11) and to enact R.S. 22:972(D), relative to the
3 approval and disapproval of forms and filing of rates; to provide with respect to the
4 exemption from disclosure of all policy forms and premium rates filed with the
5 commissioner; to provide for exemptions to Public Records Law; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:972(D) is hereby enacted to read as follows:

9 §972. Approval and disapproval of forms; filing of rates

10 * * *

11 **D. Policy forms and premium rates for major medical health and**
12 **accident and dental policies, including but not limited to policies subject to the**
13 **requirements of Title I of Public Law 111-148, shall be exempt from disclosure**
14 **under R.S. 44:1 et seq., the Public Records Law, until the commencement of the**
15 **open enrollment period of the policy year during which the forms and rates are**
16 **to be utilized. A health insurance issuer, including a health maintenance**
17 **organization, shall mark such filings as confidential or proprietary in order to**
18 **utilize the exemption authorized in this Subsection. The exemption authorized**
19 **in this Subsection shall not prevent the commissioner from publishing a**
20 **summary or description of rate filings in the operation of an effective rate**
21 **review program pursuant to Section 2794 of the Public Health Service Act.**

22 Section 2. R.S. 44:4.1(B)(11) is hereby amended and reenacted to read as follows:

23 §4.1. Exceptions

24 * * *

1 B. The legislature further recognizes that there exist exceptions, exemptions,
 2 and limitations to the laws pertaining to public records throughout the revised
 3 statutes and codes of this state. Therefore, the following exceptions, exemptions, and
 4 limitations are hereby continued in effect by incorporation into this Chapter by
 5 citation:

* * *

7 (11) R.S. 22:2, 14, 31(B), 42.1, 88, 244, 461, 572, 572.1, 574, 618, 732, 752,
 8 753, 771, **972(D)**, 1019.2(B)(5)(a), 1203, 1460, 1466, 1546, 1644, 1656, 1723, 1927,
 9 1929, 1983, 1984, 2036, 2303.

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11 Section 3. This Act shall become effective upon signature by the governor or, if not
 12 signed by the governor, upon expiration of the time for bills to become law without signature
 13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 14 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 15 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____