

SENATE BILL NO. 480

BY SENATOR JOHNS

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AN ACT

To amend and reenact R.S. 42:802(D), 808(E) and 881(B) and to enact R.S. 42:808(F), relative to the Office of Group Benefits; to eliminate the requirement that all programs be adopted through the Administrative Procedure Act; to eliminate the necessity for the Policy and Planning Board to approve benefits plans or proposed rate structures; to provide for eligibility in group programs; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:802(D), 808(E) and 881(B) are hereby amended and reenacted and R.S. 42:808(F) is hereby enacted to read as follows:

§802. Powers and duties; Office of Group Benefits

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D.(1) Notwithstanding any other provision of this Section to the contrary, any new plan of benefits or the annual plan of benefits submitted under the direction of the commissioner of administration for the life, health, or other benefit programs offered through the Office of Group Benefits or any professional, personal, and social services contracts other than contracts for legal services or actuarial services negotiated through the Office of Group Benefits under the provisions of Chapter 17 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950 as provided in Subsection A and Paragraph (B)(8) of this Section or any contracts in connection therewith shall be subject to review and final approval ~~by the appropriate standing committees of the legislature having jurisdiction over review of agency rules by the Office of Group Benefits as designated by R.S. 49:968(B)(21)(c), or the subcommittees on oversight of such standing committees, and the office of state procurement of the division of administration~~ **by the Joint Legislative Committee on the Budget.**

(2) ~~The implementation of these programs or contracts in connection therewith shall constitute a rule as defined by R.S. 49:951(6) and shall be adopted and implemented through the procedures set forth in the Administrative Procedure Act.~~

~~(3) Additionally, any adjustments to such contracts in the amount of one million dollars or more shall require the review and approval of the oversight committees before the modified contracts may be implemented. Such adjustments shall indicate the fiscal impact to the plan of benefits as well as the rate structure, if any, over the subsequent three years or maximum contract period.~~

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§808. Eligibility in group programs

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E. ~~Notwithstanding any provision of law to the contrary, any person with a developmental disability who acquired such disability prior to attaining the age of twenty-one, with one parent whose coverage of such person was terminated as a result of lost employment of the parent and one parent who is an employee, as defined in Paragraphs (A)(1) and(3) of this Section, participating in life, health, or other programs sponsored by the Office of Group Benefits, shall be covered as a dependent of such parent participating in life, health, or other programs sponsored by the Office of Group Benefits, regardless of the age of the person with a developmental disability. and in particular the provisions of R.S. 22:1001, 1003, and 1003.1, the Office of Group Benefits is authorized to offer group insurance coverage to the following dependents of an enrollee:~~

(1) The spouse of the enrollee, as defined by the office.

(2) A child of the enrollee, until the end of the month the child attains the age of twenty-six, unless coverage is terminated earlier as provide in this Section.

(3) For purposes of this Section, "child" means:

(a) The issue of a marriage of the enrollee.

(b) A natural child of the enrollee.

1 (c) A legally adopted child of the enrollee or a child placed for
2 adoption with the enrollee.

3 (d) The child of a male enrollee, if a court of competent jurisdiction
4 has issued an order of filiation declaring the paternity of the enrollee for the
5 child or the enrollee has formally acknowledged the child.

6 (e) The issue of a previous marriage or a natural or legally adopted
7 child of the enrollee's legal spouse, hereinafter "stepchild", which stepchild
8 has not been adopted by the enrollee and for whom the enrollee does not have
9 court-ordered legal custody, until the earliest of:

10 (i) The end of the month the enrollee is no longer married to the
11 stepchild's parent.

12 (ii) The end of the month of the death of the enrollee's spouse who is
13 the stepchild's parent.

14 (iii) The end of the month the stepchild attains the age of twenty-six.

15 (f) A grandchild in the court-ordered legal custody of and residing
16 with the grandparent enrollee, until the end of the month the grandchild
17 attains the age of twenty-six. For purposes of this Paragraph, "grandchild"
18 means a child of a child of the enrollee.

19 (g) A dependent for whom the enrollee has court-ordered legal
20 custody or court-ordered legal guardianship but who is not a child or
21 grandchild, as defined in this Paragraph, of the enrollee until the end of the
22 month the custody or guardianship order expires or the end of the month the
23 dependent attains the age of eighteen, whichever is earlier.

24 F. (1) Attainment of the respective limiting age of a child or
25 grandchild, as defined in Paragraph (E)(3) of this Section, shall not operate
26 to terminate the coverage of such child or grandchild if the child or
27 grandchild became incapable of self-sustaining employment by reason of
28 physical or mental disability prior to attaining the respective limiting age,
29 provided that before the child or grandchild reaches the limiting age, but no
30 earlier than six months prior thereto, an application for continued coverage

1 is filed with the office on a form designated by the office, and the application
 2 is subsequently approved. This application shall be accompanied by an
 3 attestation from the dependent's attending physician setting forth the
 4 specific physical or mental disability and certifying that the child or
 5 grandchild is incapable of self-sustaining employment by reason of that
 6 disability. The office may require additional medical or other supporting
 7 documentation regarding the disability to process the application.

8 (2) After the initial approval, the office may require the submission of
 9 additional medical or other supporting documentation substantiating the
 10 continuance of the disability, but not more frequently than annually, as a
 11 precondition to continued coverage.

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13 §881. Establishment of the Group Benefits Policy and Planning Board

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15 B. The Group Benefits Policy and Planning Board shall use any official
 16 information provided by the Group Benefits Estimating Conference as may be
 17 necessary in the review ~~and approval~~ of benefits plans and proposed rate
 18 structures required by this Section.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____