

2019 Regular Session

HOUSE BILL NO. 352

BY REPRESENTATIVE DUBUISSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

INSURANCE: Authorizes health insurance issuers to establish healthcare costs and quality programs

1 AN ACT

2 To enact R.S. 22:1100, relative to cost and quality programs for health insurance issuers; to
3 authorize health insurance issuers and health maintenance organizations to establish
4 healthcare cost and quality programs; to require notification of a program; to require
5 a consultation regarding the impact of a program on chiropractic physicians; to
6 provide for voluntary participation; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:1100 is hereby enacted to read as follows:

9 §1100. Innovative healthcare cost and quality programs

10 A. Notwithstanding the provisions of R.S. 22:34 and R.S. 22:1964(7), a
11 health insurance issuer or a health maintenance organization may establish any of the
12 following without regard to uniform availability or applicability to all insureds,
13 policyholders, or healthcare providers:

14 (1) Quality programs.

15 (2) Disease management programs.

16 (3) Population health management programs.

17 (4) Pharmaceutical management programs.

18 (5) Partnerships or other shared risk programs with healthcare providers or
19 bona fide associations.

20 (6) Other trial or pilot programs.

1 B. A health insurance issuer or health maintenance organization establishing
2 a program pursuant to the provisions of this Section shall provide written notice to
3 the Department of Insurance no later than thirty days prior to the effective date of the
4 program.

5 C. If any program to be established pursuant to this Section will involve the
6 provision of healthcare services that fall under the scope of the practice of
7 chiropractic as defined in R.S. 37:2801, the health insurance issuer or health
8 maintenance organization shall consult with the president of the Chiropractic
9 Association of Louisiana to consider any unfair discriminatory effects the program
10 may have on chiropractic physicians. Reference to the consultation and any
11 comments received from a chiropractic physician shall be included in the notice
12 provided to the Department of Insurance pursuant to Subsection B of this Section.

13 D. Participation by an insured in any program established pursuant to the
14 provisions of this Section shall be voluntary and shall not negatively impact the
15 coverage rights of the insured.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 352 Reengrossed

2019 Regular Session

DuBuisson

Abstract: Authorizes health insurance issuers to establish healthcare cost and quality programs.

Present law prohibits an insurer from making or permitting any unfair discrimination in favor of particular individuals or persons, or between insureds or subjects of insurance having substantially like insuring risk, and exposure factors, or expense elements, in the terms or conditions of any insurance contract, or in the rate or amount of premium charged therefor, or in the benefits payable or in any other rights or privileges accruing thereunder.

Proposed law retains present law but authorizes health insurance issuers and health maintenance organizations to establish any of the following without regard to uniform availability or applicability to all insureds, policyholders, or healthcare providers:

- (1) Quality programs.
- (2) Disease management programs.
- (3) Population health management programs.

- (4) Pharmaceutical management programs.
- (5) Partnerships or other shared risk programs with healthcare providers or bona fide associations.
- (6) Other trial or pilot programs.

Proposed law requires a health insurance issuer or health maintenance organization establishing a program to do both of the following:

- (1) Provide written notice to the Dept. of Insurance no later than 30 days prior to the effective date of the program.
- (2) If the program includes chiropractic healthcare services, consult with the president of the Chiropractic Association of Louisiana to consider any unfair discriminatory effects the program may have on chiropractic physicians.

Proposed law provides that participation by an insured in any program shall be voluntary and prohibits the participation from negatively impacting the coverage rights of the insured.

(Adds R.S. 22:1100)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Insurance to the original bill:

1. Make technical changes.
2. Limit the provisions of law over which proposed law would automatically prevail in the event of a conflict.
3. Change the authorization for partnerships with professional organizations to partnerships with bona fide associations.
4. Delete proposed law relative to group purchasers and preferred provider organizations.
5. Require written notice to the Dept. of Insurance of a program established pursuant to proposed law.
6. Require participation by an insured to be voluntary and prohibit the participation from negatively impacting the coverage rights of the insured.

The House Floor Amendments to the engrossed bill:

1. Require a consultation regarding the impact of a program on chiropractic physicians.
2. Make technical changes.