
DIGEST

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HB 455 Original

2021 Regular Session

DuBuisson

Abstract: Applies provisions that prohibit the use of genetic testing for health insurance and underwriting purposes to life and long-term care insurance policies and applies prohibitions for unfair or deceptive acts or practices to life and long-term care insurance policies.

Present law (R.S. 22:1023) provides certain definitions and generally prohibits an insurer offering health insurance coverage in the individual or group market from adversely affecting an enrollee's coverage due to the enrollee's refusal to submit to a genetic test or to make genetic testing results available to the insurer. Further prohibits an insurer offering health insurance coverage from using collected or acquired genetic information for underwriting purposes.

Proposed law (R.S. 22:1023(A)(13) and (G)) modifies present law to extend application to long-term care insurance policies. Otherwise retains present law.

Present law (R.S. 22:1964(24)) exempts life, disability income, and long-term care insurance policies from prohibitions against unfair or deceptive acts or practices. Proposed law deletes life and long-term care insurance policies from the present law exemption. Otherwise retains present law.

Proposed law (R.S. 22:918) reproduces present law (R.S. 22:1023) to extend application to insurers in the business of making and underwriting life insurance policies or annuity contracts. Makes modifications specific for application to life insurance policies and annuity contracts.

Proposed law makes technical changes.

(Amends R.S. 22:1023(A)(intro. para.), (8)(a)(intro. para.), (13), and (14), (B)(1)(intro. para.), (3), (4)(a)(intro. para.), and (10)(d) and (e), (C)(2)(intro. para.) and (h), (5), and (6), (D)(intro. para.), (F)(1)(intro. para.) and (2) and (G) and 1964(24); Adds R.S. 22:918)