SLS 21RS-212

ENGROSSED

2021 Regular Session

SENATE BILL NO. 82

BY SENATOR CATHEY

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

INSURERS. Provides for external review of health insurance issuers. (gov sig)

1	AN ACT
2	To amend and reenact R.S. 22:2392(26) and 2393, relative to external review of health
3	insurance issuers; to include dental insurance benefits in the Health Insurance Issuer
4	External Review Act; to provide a minimum amount for a claim to be eligible for
5	external review; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 22:2392(26) and 2393 are hereby amended and reenacted to read as
8	follows:
9	§2392. Definitions
10	As used in this Chapter:
11	* * *
12	(26) "Health benefit plan" means a policy, contract, certificate, or agreement
13	entered into, offered, or issued by a health insurance issuer to provide, deliver,
14	arrange for, pay for, or reimburse any of the costs of health care services. "Health
15	benefit plan" shall not include a plan providing coverage for excepted benefits as
16	defined in R.S. 22:1061 and short-term policies that have a term of less than twelve
17	months. Notwithstanding excepted benefits as defined in R.S. 22:1061, a "health

Page 1 of 3 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	benefit plan" subject to the provisions of Part III of this Chapter shall include
2	dental insurance plans.
3	* * *
4	§2393. Applicability and scope
5	A. This Chapter shall apply to any health insurance issuer that offers a health
6	benefit plan as defined in this Chapter.
7	B. This Chapter shall apply only to external review or adverse
8	determinations involving individual claims in excess of two hundred fifty
9	dollars.
10	Section 2. This Act shall become effective upon signature by the governor or, if not
11	signed by the governor, upon expiration of the time for bills to become law without signature
12	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
13	vetoed by the governor and subsequently approved by the legislature, this Act shall become
14	effective on the day following such approval.

The original instrument was prepared by Thomas L. Tyler. The following digest, which does not constitute a part of the legislative instrument, was prepared by Leonore Heavey.

SB 82 Engrossed

DIGEST 2021 Regular Session

Cathey

<u>Present law</u> provides for internal claims and appeals processes and external review of insurance claims and provides that the Health Insurance Issuer External Review Act provide uniform standards for the establishment and maintenance of external review procedures to assure that covered persons have the opportunity for an independent review of an adverse determination or final adverse determination on an insurance claim.

<u>Present law</u> defines "health benefit plans" which are subject to <u>present law</u> and excludes certain excepted benefits and short-term policies that have a term of less than 12 months from the definition of "health benefit plans".

<u>Proposed law</u> removes dental insurance plans from the exclusion and provides that they are subject to provisions of the Health Insurance Issuer External Review Act.

<u>Proposed law</u> limits the application of <u>present law</u> to external review or adverse determinations related to individual claims greater than \$250.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 22:2392(26) and 2393)

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Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Insurance to the original bill

1. Limits the application of the external review to individual claims that exceed \$250.