
DIGEST

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HB 535 Original

2022 Regular Session

Amedee

Abstract: Prohibits group health plan and life insurance policy issuers from denying coverage or rejecting claims based upon immunization status and provides for penalties and civil actions.

Proposed law prohibits a group health plan or life insurance policy issuer from using vaccination status information to reject, deny, limit, cancel, refuse to renew, increase the premiums for, limit the amount, extent, or kind of coverage available to the insured, or otherwise adversely affect eligibility for, or deny a claim or any portion thereof under the group health plan or life insurance policy.

Proposed law prohibits a group health plan issuer from doing any of the following:

- (1) Using the vaccination status of the patients of a healthcare provider as a qualification or requirement for contracting with the provider or as a basis for terminating the contract with the provider.
- (2) Using the vaccination status of individuals covered by a group health plan as a factor in the rating of a group health plan.
- (3) Using the vaccination status of individuals covered by a group health plan as a factor in terms of providing financial incentives or financial or other penalties on a participating provider.

Proposed law authorizes the commissioner to issue a cease and desist order including penalties and other enforcement provisions provided for in the La. Insurance Code upon an issuer that violates proposed law. Further authorizes the commissioner to seek an injunction in a court of competent jurisdiction and apply for temporary and permanent orders that the commissioner determines as necessary to restrain the issuer from committing the violation.

Proposed law authorizes any person damaged by the acts of an issuer in violation of proposed law to bring a civil action against the issuer in a court of competent jurisdiction.

(Adds R.S. 22:1023.2)