

2022 Regular Session

SENATE BILL NO. 348

BY SENATOR CLOUD

GROUP BENEFITS PROGRAM. Provides a process for the appeal of denied medical benefits by the Office of Group Benefits. (7/1/22)

1 AN ACT

2 To amend and reenact R.S. 42:802(B)(6) and to enact R.S. 24:653(H)(3), relative to the

3 Office of Group Benefits; to provide for the creation of the group benefits appeals

4 subcommittee of the Joint Legislative Committee on the Budget; to establish an

5 appeals process for the denial of health benefits from the Office of Group Benefits;

6 to provide for the review of any denial of healthcare benefits by the group benefits

7 appeal subcommittee; to provide for an effective date; and to provide for related

8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 24:653(H)(3) is hereby enacted to read as follows:

11 §653. Duties and functions

12 \* \* \*

13 H. \* \* \*

14 **(3) The committee shall have a group benefits appeals subcommittee**

15 **which shall review appeals submitted to the subcommittee under certain**

16 **conditions provided for in R.S. 42:802(B)(6). The subcommittee, by its own**

17 **rules, motions, or resolutions, shall provide for the size, membership,**

1 appointment, all administrative matters, and the delegated powers and duties  
2 of the group benefits appeals subcommittee.

3 \* \* \*

4 Section 2. R.S. 42:802(B)(6) is hereby amended and reenacted to read as follows:

5 §802. Powers and duties; Office of Group Benefits

6 \* \* \*

7 B. \* \* \*

8 (6)(a) To establish benefit plans, under the direction of the commissioner of  
9 administration, for the life, health, and other benefit programs offered through the  
10 office. This duty shall include the responsibility to ensure, to the greatest extent  
11 practicable, that the plans for benefits and coverages available for employees in all  
12 parts of the state are comparable with respect to coverages offered.

13 (b) To establish an appeals process for the denial of health benefits  
14 through the Office of Group Benefits offered under the direction of the  
15 commissioner of administration, for health benefit programs offered through  
16 the office. The appeal process, to the greatest extent practicable, shall be  
17 comparable to appeal processes offered by comparable insurance providers in  
18 Louisiana. The appeal process shall be subject to review and final approval by  
19 the appropriate standing committees of the legislature having jurisdiction over  
20 review of agency rules by the Office of Group Benefits as designated by R.S.  
21 49:968(B)(21)(c), or the subcommittees on oversight of such standing  
22 committees, and shall be submitted no later than July 1, 2022, and shall be  
23 approved no later than July 15, 2022. The Office of Group Benefits is  
24 authorized to use the emergency rulemaking process in order to comply with  
25 the July 1, 2022, deadline.

26 (c) Any appeal for the denial of benefits for the provision of healthcare  
27 that is certified by a medical doctor as necessary for the immediate provision  
28 of life-saving measures shall be reviewed for approval by the group benefits  
29 appeal subcommittee of the Joint Legislative Committee on the Budget within

1 **ten days of the receipt of the appeal.**

2 \* \* \*

3 Section 3. This Act shall become effective on July 1, 2022; if vetoed by the governor  
4 and subsequently approved by the legislature, this Act shall become effective on the day  
5 following such approval by the legislature or July 1, 2022, whichever is later.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Martha S. Hess.

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DIGEST

SB 348 Original 2022 Regular Session Cloud

Present law provides for the creation of the Joint Legislative Committee on the Budget (JLCB).

Proposed law retains present law and creates a group benefits appeals subcommittee of the JLCB which shall review appeals submitted to the subcommittee under certain conditions provided for in proposed law. The subcommittee, by its own rules, motions, or resolutions, shall provide for the size, membership, appointment, all administrative matters, and the delegated powers and duties of the subcommittee.

Present law authorizes the Office of Group Benefits to establish benefit plans, under the direction of the commissioner of administration, for the life, health, and other benefits. This duty includes the responsibility to ensure, to the greatest extent practicable, that the plans for benefits and coverages available for employees in all parts of the state are comparable with respect to coverages offered.

Proposed law retains present law and authorizes the Office of Group Benefits to establish an appeals process for the denial of health benefits. Proposed law provides that the appeal process, to the greatest extent practicable, shall be comparable to appeal processes offered by insurance coverage in Louisiana. The appeal process 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 present law, or the subcommittees on oversight of such standing committees, and shall be submitted no later than July 1, 2022. The Office of Group Benefits is authorized to use the emergency rulemaking process to meet the July 1 deadline.

Proposed law provides that any appeal for the request of benefits for the provision of health care that have been denied but are certified by a medical doctor as necessary for the immediate provision of life-saving measures shall be reviewed for approval by the group benefits appeal subcommittee of the JLCB within 10 days of the receipt of the appeal.

Effective July 1, 2022.

(Amends R.S. 42:802(B)(6); adds R.S. 24:653(H)(3))