

2022 Regular Session

HOUSE BILL NO. 532

BY REPRESENTATIVES HUVAL AND GAROFALO

INSURANCE/HEALTH: Provides relative to health insurance coverage for fire employees

1 AN ACT

2 To enact R.S. 22:36, relative to health insurance coverage for fire employees; to generally
3 prohibit a health insurance issuer from refusing enrollment of retired fire employees
4 based solely on the status of retirement; to prohibit discrimination between active
5 and retired fire employees for purposes of insurance coverage; to provide for
6 applicability; to provide for definitions; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:36 is hereby enacted to read as follows:

9 §36. Discrimination prohibited; health insurance coverage; fire employees;
10 applicability

11 A. A health insurance issuer shall not refuse to accept for enrollment any fire
12 employee formerly employed by a municipality, parish, or fire protection district
13 with which the health insurance issuer maintains a policy of group health insurance
14 coverage, where such fire employee is no longer employed by the municipality,
15 parish, or fire protection district as a result of retirement, and where such fire
16 employee is not yet eligible for Medicare.

17 B. A health insurance issuer shall not discriminate between an active fire
18 employee and retired fire employee on the basis of an active or retired status.

19 C.(1) This Section does not require a health insurance issuer to provide
20 coverage for a retired fire employee under circumstances in which an active fire

1 employee could lawfully be denied coverage nor requires a health insurance issuer
 2 to offer terms, rates, or benefits to a retired fire employee that it is not required to
 3 offer to an active fire employee.

4 (2) Notwithstanding the provisions of this Section, this Section shall not be
 5 construed to require a municipality, parish, or fire protection district to offer health
 6 insurance coverage to early retiree fire employees, nor prohibit a municipality,
 7 parish, or fire protection district from offering health insurance coverage to only
 8 active fire employees, nor prohibit a health insurance issuer from offering coverage
 9 that complies with such eligibility decision of the municipality, parish, or fire
 10 protection district.

11 D. As used in this Section, the term "fire employee" includes a retired
 12 employee of a fire protection district or of a municipal or parish fire department.

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 532 Reengrossed

2022 Regular Session

Huval

Abstract: Prohibits a health insurance issuer from refusing enrollment of retired fire employees based solely on retirement status and provides for interpretation of law.

Proposed law prohibits a health insurance issuer from refusing to enroll a fire employee formerly employed by a municipality, parish, or fire protection district with which the issuer maintains a policy of group health insurance coverage, where the fire employee is no longer employed due to retirement, and the fire employee is not yet eligible for Medicare.

Proposed law prohibits a health insurance issuer from discriminating between active and retired fire employees on the basis of active or retired status.

Proposed law does not require a health insurance issuer to provide coverage for a retired fire employee under circumstances in which an active fire employee could lawfully be denied coverage nor requires an issuer to offer terms, rates, or benefits to a retired fire employee that are not lawfully required for offer to an active fire employee.

Proposed law defines "fire employee".

Proposed law should not be interpreted to require a municipality, parish, or fire protection district to offer insurance to a retired fire employee, nor prohibit such municipality, parish, or fire protection district from offering insurance to only active employees, nor prohibit an issuer from complying with the decision of a municipality, parish, or fire protection district as to whom it will offer insurance.

(Adds R.S. 22:36)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Add that proposed law should not be interpreted to require a municipality, parish, or fire protection district to offer insurance to a retired fire employee, nor prohibit such municipality, parish, or fire protection district from offering insurance to only active employees, nor prohibit an issuer from complying with the decision of a municipality, parish, or fire protection district as to whom it will offer insurance.
2. Make technical changes.