

SENATE BILL NO. 366

BY SENATOR HARRIS

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AN ACT

To amend and reenact R.S. 22:976.1(B) and (D), relative to health insurance; to prohibit certain health insurance cost-sharing practices; to provide for definitions; to provide for fairness in enrollee cost-sharing practices; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:976.1(B) and (D) are hereby amended and reenacted to read as follows:

§976.1. Fairness in enrollee **cost sharing**

* * *

B. **Cost-sharing calculation.** When calculating an enrollee's contribution to any applicable cost-sharing requirement, a health insurance issuer shall include any cost-sharing amounts paid by the enrollee or on behalf of the enrollee by another person. **If application of this requirement results in health savings account ineligibility under 26 U.S.C. 223, this requirement shall apply for health savings account-qualified high deductible health plans with respect to the deductible of the plan after the enrollee has satisfied the minimum deductible under 26 U.S.C. 223, except with respect to items or services that are preventive care pursuant to 26 U.S.C. 223(c)(2)(C), in which case the requirements of this Subsection shall apply regardless of whether the minimum deductible under 26 U.S.C. 223 has been satisfied.**

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D. The commissioner of insurance may promulgate rules and regulations **in accordance with the Administrative Procedure Act as are** necessary to implement this Section.

1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____