

**ACT No. 339**

2022 Regular Session

HOUSE BILL NO. 532

BY REPRESENTATIVES HUVAL AND GAROFALO

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  
21 employee could lawfully be denied coverage nor requires a health insurance issuer

1           to offer terms, rates, or benefits to a retired fire employee that it is not required to  
2           offer to an active fire employee.

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

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_