

RÉSUMÉ DIGEST

ACT 132 (SB 366)

2022 Regular Session

Harris

Prior law (R.S. 22:976.1(B)) required a health insurance issuer to include any cost-sharing amounts paid by the enrollee or on behalf of the enrollee by another person, when such issuer is calculating the enrollee's contribution to any applicable cost-sharing requirement.

New law retains prior law and adds that if the prior law requirement resulted in health savings account ineligibility under federal law relative to health savings accounts (26 U.S.C. 223), the requirement applied 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 the federal law.

New law provides an exception with respect to items or services that are preventative care relative to safe harbor for absence of a preventative care deductible (26 U.S.C. 223(c)(2)(C)), in which case the requirements of the new law applies regardless of whether the minimum deductible under federal law has been satisfied.

New law retains prior law which authorized the commissioner of insurance to promulgate rules and regulations necessary to implement prior and new law. New law specifies for rule promulgation to be in accordance with the APA.

Effective May 26, 2022.

(Amends R.S. 22:976.1(B) and (D))