

RÉSUMÉ DIGEST

ACT 459 (HB 294)

2022 Regular Session

Nelson

New law requires an annual open enrollment period to begin on the birthday of an individual who has an existing Medicare supplement policy. Requires the annual open enrollment period to last for 63 calendar days, during which time the individual may purchase any Medicare supplement policy (policy) offered in this state by the same insurer.

New law provides that if, during the annual open enrollment period, the individual purchases a standardized policy identified by a plan letter that indicates benefits equal to or less than the benefits indicated by the plan letter of the individual's previous policy, the issuer of the chosen policy is prohibited from denying or conditioning the issuance or effectiveness of the coverage, or discriminating in the pricing of the coverage, due to the individual's health status, claims experience, receipt of health care, or medical condition.

New law requires an open enrollment period for an individual who is eligible for Medicare coverage but who does not have an existing policy, if the individual maintained health insurance coverage through his employer at the time he became eligible for Medicare coverage. Requires the open enrollment period to begin on the date of the plan's termination, the date the plan ceases to provide some or all health benefits to the individual, or the date the individual leaves the plan. Further requires the open enrollment period to last for 63 calendar days, during which time the individual may purchase any policy offered in this state.

New law provides that if, during the open enrollment period, the individual purchases a standardized policy identified by a plan letter for which federal law currently provides a guaranteed issue right at the time of the individual's initial eligibility for Medicare coverage, the issuer of the chosen policy is prohibited from denying or conditioning the issuance or effectiveness of the coverage, or discriminating in the pricing of the coverage, due to the individual's health status, claims experience, receipt of health care, or medical condition.

New law requires a policy issuer to provide notice of the annual open enrollment period for eligible Medicare supplement policyholders at the time an application is made for a policy or certificate. Requires the notice to be in a form prescribed by the commissioner of insurance.

Effective August 1, 2022.

(Adds R.S. 22:1112)