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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Beth O'Quin.

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DIGEST

SB 58 Original

2024 Regular Session

Talbot

Present law defines "health coverage plan", "health insurance issuer", "nationally recognized clinical practice guidelines", "positron emission tomography", "prior authorization", and "utilization review".

Proposed law retains present law but adds a definition for "consensus statements" to mean statements developed by an independent, multidisciplinary panel of experts that utilize a transparent methodology and reporting structure and provides for a conflict-of-interest policy. Proposed law provides these statements are aimed at specific clinical circumstances and based on the best available evidence for the purpose of optimizing the outcomes of clinical care.

Present law prohibits a health coverage plan from denying a prior authorization or payment of claims for any procedure, pharmaceutical, or diagnostic test to be provided or performed for the diagnosis and treatment of cancer, if the procedure, pharmaceutical, or test is recommended by nationally recognized clinical practice guidelines for use in the diagnosis or treatment of the insured's specific type of cancer and clinical state.

Proposed law retains present law but prohibits a health coverage plan from denying a prior authorization or payment of claims for any procedure, pharmaceutical, or diagnostic test to be provided or performed for the diagnosis and treatment of cancer, if the procedure, pharmaceutical, or test is recommended by nationally recognized consensus statements for use in the diagnosis or treatment of the insured's specific type of cancer and clinical state.

Present law prohibits an issuer from denying coverage of a positron emission tomography (PET) or recommended imaging for the purpose of diagnosis, treatment, appropriate management, restaging, or ongoing monitoring of an insured's disease or condition if the imaging is being requested for the diagnosis, treatment, or ongoing monitoring of cancer and is recommended by nationally recognized clinical practice guidelines. Present law further provides this law does not apply to nonmelanoma skin cancer.

Proposed law retains present law but prohibits an issuer from denying coverage of a PET or recommended imaging for the purpose of diagnosis, treatment, appropriate management, restaging, or ongoing monitoring of an insured's disease or condition if the imaging is being requested for the diagnosis, treatment, or ongoing monitoring of cancer and is recommended by nationally recognized consensus statements that are requested for the diagnosis, treatment, or ongoing monitoring of cancer.

Present law prohibits a health coverage plan from requiring an insured to undergo any imaging test for the purpose of diagnosis, treatment, appropriate management, restaging, or ongoing monitoring of an insured's disease or condition if the imaging is being requested for the diagnosis, treatment, or

ongoing monitoring of cancer and is not recommended by nationally recognized clinical practice guidelines, as a precedent to receiving a PET or other recommended imaging provided by the guidelines of present law.

Proposed law retains present law but prohibits a health coverage plan from requiring an insured to undergo any imaging test for the purpose of diagnosis, treatment, appropriate management, restaging, or ongoing monitoring of an insured's disease or condition if the imaging is being requested for the diagnosis, treatment, or ongoing monitoring of cancer but is not recommended by nationally recognized consensus statements, as a precedent to receiving a PET, or other recommended imaging provided by the guidelines of present law.

Proposed law provides that the commissioner of insurance (commissioner) may issue penalties or cease and desist orders if he determines that any health insurance issuer is not in compliance with proposed law.

Proposed law provides monetary penalties for violations of cease and desist orders.

Proposed law authorizes the commissioner to revoke, suspend, or nonrenew a certificate of authority of any health insurance issuer for noncompliance. Proposed law permits any aggrieved health insurance issuer the opportunity to seek judicial review of certain decisions by the commissioner.

Proposed law applies to any new policy, contract, program, or health coverage plan issued on or after Jan. 1, 2025 and requires any policy, contract, or health coverage plan in effect prior to Jan. 1, 2025, shall convert to conform to the provisions of this Act on or before the renewal date, but no later than Jan. 1, 2026.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 22:1060.14 and 1060.15(A) and (B); adds R.S. 22:1060.12(7) and 1060.17)