

2024 Regular Session

SENATE BILL NO. 210

BY SENATOR OWEN

HEALTH/ACC INSURANCE. Provides relative to annual limitations on cost-sharing.
(8/1/24)

1 AN ACT

2 To amend and reenact R.S. 22:976.1(C) and (D) and to enact R.S. 22:976.1(E), relative to
3 annual limitations on cost-sharing; to provide for the calculation of an enrollee's
4 contribution to the annual limitation on cost-sharing; to provide for technical
5 changes; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:976.1(C) and (D) are hereby amended and reenacted and R.S.
8 22:976.1(E) is hereby enacted to read as follows:

9 §976.1. Fairness in enrollee cost-sharing

10 * * *

11 **C. When calculating an enrollee's contribution to the annual limitation**
12 **on cost-sharing pursuant to 42 U.S.C. 18022(c) and 300gg-6(b), a health**
13 **insurance issuer or its subcontractors shall include expenditures for any**
14 **covered item or healthcare service, if the item or healthcare service is included**
15 **within a category of essential health benefits pursuant to 42 U.S.C. 18022(b)(1),**
16 **and regardless of whether the health insurance issuer or its subcontractors**
17 **classify the item or service as an essential health benefit.**

1 D. In implementing the requirements of this Section, the state shall regulate
2 a health insurance issuer only to the extent permissible under applicable law.

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

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Brandi Cannon.

DIGEST

SB 210 Original 2024 Regular Session Owen

Present law requires a health insurance issuer, when the issuer is calculating an enrollee's contribution to any applicable cost-sharing requirement, to include any cost-sharing amounts paid by the enrollee or on behalf of the enrollee by another person.

Proposed law retains present law and further requires a health insurance issuer, when calculating an enrollee's contribution to the annual limitation on cost-sharing pursuant to federal law, to include expenditures for any covered item or healthcare service, if the item or healthcare service is included within a category of essential health benefits under federal law and regardless of whether the health insurance issuer or its subcontractors classify the item or service as an essential health benefit.

Effective August 1, 2024.

(Amends R.S. 22:976.1(C) and (D); adds R.S. 22:976.1(E))