

CONFERENCE COMMITTEE REPORT

HB 616

2024 Regular Session

Green

May 29, 2024

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 616 by Representative Green, recommend the following concerning the Reengrossed bill:

1. That the set of Senate Committee Amendments by the Senate Committee on Insurance (#2864) be adopted.
2. That the set of Senate Floor Amendments by Senator Bass (#3121) be adopted.
3. That the following amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 3, line 15, change "E." to "D."

AMENDMENT NO. 2

On page 4, line 6, change "F." to "E."

AMENDMENT NO. 3

On page 4, line 10, change "G." to "F."

AMENDMENT NO. 4

On page 4, line 18, change "H." to "G."

AMENDMENT NO. 5

On page 4, line 25, change "I." to "H."

AMENDMENT NO. 6

On page 5, line 6, change "J." to "I."

AMENDMENT NO. 7

On page 5, line 11, change "K." to "J."

AMENDMENT NO. 8

On page 5, line 16, change "L." to "K."

AMENDMENT NO. 9

On page 5, line 21, change "December 1, 2024." to "February 1, 2025."

AMENDMENT NO. 10

On page 5, delete lines 22 and 23 in their entirety

AMENDMENT NO. 11

On page 5, line 24, change "Section 4." to "Section 3."

AMENDMENT NO. 12

On page 5, line 26, change "Section 5." to "Section 4."

Respectfully submitted,

Representative Kyle M. Green, Jr.

Senator Adam Bass

Representative Michael "Gabe" Firment

Senator Rick Edmonds

Representative Chad Brown

Senator Kirk Talbot

CONFERENCE COMMITTEE REPORT DIGEST

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Keyword and oneliner of the instrument as it left the House

INSURANCE/HEALTH: Provides relative to actuarial reviews of healthcare legislation

Report adopts Senate amendments to:

1. Change the date from Dec. 1, 2024 to Feb. 1, 2025, regarding the La. Dept. of Insurance's required date to contract with entities to conduct actuarial reviews.
2. Remove the requirement for the La. Dept. of Insurance to conduct a meeting for public input.
3. Change the timeframe for a contractor's predicted effects of a legislative proposal from the 5 years to the first year immediately following the proposal's effective date.
4. Make technical changes.

Report amends the bill to:

1. Make technical changes to citations and delete inapplicable uncodified law.

Digest of the bill as proposed by the Conference Committee

Proposed law requires the La. Dept. of Insurance (LDI) to implement a process for legislators to request actuarial reviews of healthcare legislation.

By Feb. 1, 2025, proposed law requires LDI to contract with one or more entities with experience in actuarial reviews and healthcare policy for the purpose of performing the actuarial reviews. Requires at least one contractor to be an actuary, actuarial firm, university department, or academic faculty based in the state of La. with experience analyzing health insurance premiums. Further requires contractors to be independent and free from conflicts of interest.

Proposed law requires legislators requesting actuarial reviews of legislative proposals to submit requests to LDI no later than Dec. 1st of the year preceding the regular session of the legislature in which the legislative proposal will be introduced.

Proposed law requires contractors to consider in actuarial reviews the predicted effects of the legislative proposal during the year immediately following the effective date of the proposal, or during another time period if such consideration is more actuarially feasible.

Proposed law requires contractors to provide certain information regarding actuarial reviews including but not limited to enrollment estimates of health benefit plans and certain desegregated demographic information.

Proposed law provides for qualitative analyses of the impact of legislative proposals. Authorizes a legislator who requests an actuarial review to designate one or more persons to provide data to contractors to inform a qualitative analysis. Further authorizes contractors performing legislative reviews to use data from any reasonable source, including data collected from insurers, and requires such insurers to provide requested information.

Proposed law provides that reports of actuarial reviews are confidential until the legislative proposal is introduced in the following regular legislative session or, if no proposal is introduced, until after the end of the legislative session following the submission of the request.

Proposed law requires LDI to provide written notification to the commissioner of administration and the chairmen of the House Appropriations Committee and Senate Finance Committee of the estimated defrayal costs of a state benefit mandate. Upon receipt of the written notification, proposed law requires the commissioner of administration to request an appropriation to pay the estimated defrayal cost of each enacted legislative proposal prior to implementation in the subsequent plan year.

Proposed law requires insurers to provide actuarial estimates based on appropriate claims and data of the per-member, per-month amount necessary to defray the cost of the enacted mandate for the subsequent plan year. Further requires estimates to be actuarially sound.

Proposed law requires data and other records disclosed by a health insurer, health plan, or other health insurance issuer pursuant to proposed law to be kept confidential.

Proposed law does not delegate state or federal authority to a non-state entity contractor, including authority to request fiscal impact analyses from the legislative fiscal office, or the authority to make determinations regarding the legal status of state benefit mandates.

Proposed law prohibits LDI from engaging a contractor to perform an actuarial review unless LDI determines that there are adequate resources within existing appropriations to compensate the contractor.

Present law provides for the La. Mandated Health Benefits Commission. Proposed law repeals present law and authorizes the La. State Law Institute to redesignate proposed law.

(Adds R.S. 22:2188; Repeals R.S. 22:2187)