

2020 Regular Session

HOUSE BILL NO. 272

BY REPRESENTATIVE DUBUISSON

INSURANCE/HEALTH: Provides relative to health insurance coverage for breast cancer screening and diagnosis

1 AN ACT

2 To enact R.S. 22:1028.3, relative to health insurance coverage for breast cancer; to require  
3 coverage for breast magnetic resonance imaging at the same level of coverage  
4 provided for screening mammograms; to define key terms; to provide for  
5 applicability; to provide for an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1028.3 is hereby enacted to read as follows:

8 §1028.3. Required coverage of breast magnetic resonance imaging for breast cancer  
9 screening or diagnosis

10 A.(1) Any health coverage plan delivered or issued for delivery in this state  
11 shall include coverage for breast magnetic resonance imaging at the same level of  
12 coverage provided for the minimum mammography examination pursuant to R.S.  
13 22:1028, regardless of whether the imaging is used for breast cancer screening or  
14 diagnostic purposes.

15 (2) The health coverage plan may require a referral by the treating physician  
16 based on medical necessity for the breast magnetic resonance imaging to be eligible  
17 for the coverage required pursuant to Paragraph (1) of this Subsection.

18 (3) Any coverage required pursuant to the provisions of this Section shall not  
19 be subject to any policy or health coverage plan deductible amount.

20 B. For purposes of this Section:

1           (1) "Magnetic resonance imaging" means a medical imaging technique that  
2           uses a magnetic field and computer-generated radio waves to create detailed images  
3           of the organs and tissues of the body.

4           (2) "Health coverage plan" means any hospital, health, or medical expense  
5           insurance policy, hospital or medical service contract, employee welfare benefit plan,  
6           contract, or other agreement with a health maintenance organization or a preferred  
7           provider organization, health and accident insurance policy, or any other insurance  
8           contract of this type in this state, including a group insurance plan, a self-insurance  
9           plan, and the Office of Group Benefits programs. "Health coverage plan" shall not  
10           include a plan providing coverage for excepted benefits as defined in R.S. 22:1061,  
11           limited benefit health insurance plans, and short-term policies that have a term of  
12           less than twelve months.

13           C. Any provision in a health insurance policy, benefit program, or health  
14           coverage plan delivered, renewed, issued for delivery, or otherwise contracted for in  
15           this state which is contrary to the provisions of this Section shall, to the extent of the  
16           conflict, be void.

17           Section 2.(A) This Act shall become effective on January 1, 2021.

18           (B) This Act shall apply to any new policy, contract, program, or health coverage  
19 plan issued on and after January 1, 2021. Any policy, contract, or health coverage plan in  
20 effect prior to January 1, 2021, shall convert to conform to the provisions of this Act on or  
21 before the renewal date, but no later than January 1, 2021.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 272 Original

2020 Regular Session

DuBuisson

**Abstract:** Requires health insurance coverage for breast magnetic resonance imaging at the same level of coverage provided for screening mammograms.

Present law requires any health coverage plan which is delivered or issued for delivery in this state to include benefits payable for a minimum mammography examination.

Proposed law retains present law and requires any health coverage plan delivered or issued for delivery in this state to include coverage of breast magnetic resonance imaging for breast cancer screening or diagnosis at the same level of coverage provided for the minimum mammography examination pursuant to present law.

Proposed law authorizes the health coverage plan to require a referral by the treating physician based on medical necessity for the breast magnetic resonance imaging to be eligible for the required coverage but prohibits the coverage from being subject to any policy or health coverage plan deductible amount.

Proposed law provides that any provision in a health insurance policy, benefit program, or health coverage plan delivered, renewed, issued for delivery, or otherwise contracted for in this state which is contrary to proposed law shall, to the extent of the conflict, be void.

Proposed law applies to any new policy, contract, program, or health coverage plan issued on and after Jan. 1, 2021. Any policy, contract, or health coverage plan in effect prior to Jan. 1, 2021, shall convert to conform to the provisions of proposed law on or before the renewal date, but no later than Jan. 1, 2021.

Effective Jan. 1, 2021.

(Adds R.S. 22:1028.3)