

ACT No. 784

2024 Regular Session

HOUSE BILL NO. 392

BY REPRESENTATIVES FREEMAN AND CHASSION

1 AN ACT

2 To enact R.S. 22:988 and Part VIII of Chapter 5-E of Title 40 of the Louisiana Revised
3 Statutes of 1950, to be comprised of R.S. 40:1259.1 through 1259.3, relative to
4 coverage of perimenopausal and menopausal care; to provide for hormonal and
5 symptomatic treatment; to provide for Medicaid coverage; to provide for enrollment
6 qualifications; to provide for insurance coverage; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:988 is hereby enacted to read as follows:

9 §988. Perimenopausal and menopausal care

10 A. A health insurance issuer offering health coverage plans in this state shall
11 provide coverage for any medically necessary care or treatment for menopause and
12 perimenopause.

13 B. A health insurance issuer shall not require a prior authorization or
14 otherwise be subject to a step-therapy or fail-first policy or protocol for the
15 administration or prescription of any medication administered or prescribed for
16 hormone replacement therapy used to treat symptoms of menopause and
17 perimenopause as defined in R.S. 40:1259.1(C).

1 Section 2. Part VIII of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of
2 1950, comprised of R.S. 40:1259.1 through 1259.3, is hereby enacted to read as follows:

3 PART VIII. MENOPAUSAL CARE COVERAGE

4 §1259.1. Menopausal care; Medicaid coverage

5 A. The Louisiana Department of Health shall make available to persons who
6 are eligible for Medicaid benefits under Title XIX of the Social Security Act, 42
7 U.S.C. 1396 et seq., coverage benefits for hormonal care for any woman who is
8 experiencing menopausal or perimenopausal symptoms.

9 B. The symptoms for which such funding shall be made available include but
10 are not limited to the following:

- 11 (1) Irregular menstrual periods.
- 12 (2) Hot flashes.
- 13 (3) Vaginal or bladder problems.
- 14 (4) Decrease in fertility.
- 15 (5) Loss of bone.
- 16 (6) Increase in low-density lipoprotein cholesterol levels.
- 17 (7) Sleep disruption, which includes night sweats.

18 C. For the purposes of this Part, the following definitions apply:

19 (1) "Menopause" means the permanent cessation of menstruation due to loss
20 of ovarian follicular function. During menopause, ovaries stop releasing eggs and
21 the body produces less estrogen and progesterone.

22 (2) "Perimenopause" means the transition period in which a woman is near
23 the end of her reproductive years or at the onset of menopause.

24 D. The Louisiana Department of Health may seek approval of a federal
25 Medicaid waiver and state plan amendments as may be necessary to implement the
26 provisions of this Section.

27 §1259.2. Medicaid coverage for perimenopausal and menopausal care

28 A. The Louisiana Medicaid program shall cover inpatient and, if deemed
29 appropriate, outpatient coverage for perimenopausal or menopausal treatment or care

1 when such care or treatment is used for a medically accepted indication and
2 administered in any healthcare facility by any healthcare professional appropriately
3 licensed in this state to provide such medical treatment or care in accordance with
4 state and federal guidelines or certifications.

5 B. Any healthcare facility appropriately providing perimenopausal or
6 menopausal treatment or care in accordance with state and federal guidelines or
7 certifications that participates in the Louisiana Medicaid program shall provide
8 perimenopausal or menopausal treatment or care to an individual who is eligible for
9 such enrollment as defined in Subsection C of this Section.

10 C.(1) To receive coverage from the Louisiana Medicaid program for
11 perimenopausal or menopausal treatment or care, the eligibility of a prospective
12 enrollee shall be determined by the healthcare facility appropriately providing
13 perimenopausal or menopausal treatment or care in accordance with state and federal
14 guidelines or certifications as provided in Subsection B of this Section.

15 (2) A prospective enrollee shall be considered eligible for perimenopausal
16 or menopausal treatment or care enrollment if the individual satisfies all of the
17 following qualifications:

18 (a) The individual is enrolled in the Louisiana Medicaid program.

19 (b) A licensed healthcare provider has certified that perimenopausal or
20 menopausal treatment or care is medically necessary and appropriate to treat the
21 individual's condition.

22 (c) The perimenopausal or menopausal treatment or care is administered in
23 any healthcare facility appropriately providing perimenopausal or menopausal
24 treatment or care in accordance with state and federal guidelines or certifications.

25 D. Pursuant to this Section, the secretary of the Louisiana Department of
26 Health shall do all of the following:

27 (1) Submit to the Centers for Medicare and Medicaid Services all necessary
28 state plan amendments.

1 (2) Promulgate all necessary rules and regulations in accordance with the
2 Administrative Procedure Act.

3 (3) Take any other actions necessary to implement the provisions of this
4 Section.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____