

Regular Session, 2010

HOUSE BILL NO. 744

BY REPRESENTATIVE ROY

1 AN ACT

2 To amend and reenact R.S. 22:1068(B)(2) and 1074(B)(2) and to enact R.S. 22:1063(C),
3 relative to discontinuance or cancellation of health insurance coverage; to limit such
4 discontinuance or cancellation under certain circumstances; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1068(B)(2) and 1074(B)(2) are hereby amended and reenacted
8 and R.S. 22:1063(C) is hereby enacted to read as follows:

9 §1063. Prohibiting discrimination against individual participants and beneficiaries
10 based on health status

11 * * *

12 C. A health insurance issuer offering group health insurance coverage shall
13 not rescind such coverage with respect to an enrollee or insured once the enrollee or
14 insured is covered under such coverage involved, except that this Subsection shall
15 not apply to an enrollee or insured who has performed an act or practice that
16 constitutes fraud or makes an intentional misrepresentation of material fact. Such
17 coverage may not be cancelled except with prior notice to the enrollee or insured,
18 and only as permitted by federal law or regulation pursuant to 42 U.S.C.A. Section
19 300gg-12, (Public Health Services Act). The provisions of this Subsection shall not
20 apply to limited benefit health insurance policies or contracts, disability income,
21 long-term care, nursing home care, home health care, community based care, dental
22 or vision benefits, Medicare supplement, specified disease or illness, hospital

