

SENATE BILL NO. 206

BY SENATOR MORRISH

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AN ACT

To amend and reenact R.S. 22:1060.3(A), 1068(D)(2), and 1074(D)(2), relative to health benefit plans; to provide with respect to the continuation of coverage; to provide for guaranteed renewability of coverage in the group and individual market with regard to modifications affecting drug coverage; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1060.3(A), 1068(D)(2), and 1074(D)(2) are hereby amended and reenacted to read as follows:

§1060.3. Continuation of coverage required; other drugs not precluded

A. A health insurance issuer of a health benefit plan that covers prescription drugs shall offer to each enrollee at the contracted benefit level and until the enrollee's plan renewal date any prescription drug that was approved or covered under the plan for a medical condition or medical illness, regardless of whether the drug has been removed from the health benefit plan's drug formulary before the plan renewal date. **Nothing herein shall prohibit the health insurance issuer from providing information to the enrollee regarding alternative covered drugs.**

\* \* \*

§1068. Guaranteed renewability of coverage for employers in the group market

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D. A health insurance issuer may modify health insurance coverage offered to a group health plan if each of the following conditions is met:

\* \* \*

(2) The modification is approved by the commissioner and is effective on a uniform basis among all small or large employers covered by that group health plan. **However, for purposes of this Section, modifications affecting drug coverage shall not require approval by the commissioner.**

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§1074. Guaranteed renewability of individual health insurance coverage

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D. A health insurance issuer may modify the health insurance coverage for a policy form offered to individuals in the individual market if each of the following conditions is met:

\* \* \*

(2) The modification is approved by the commissioner, is consistent with state law, and is effective on a uniform basis among all the individuals with that policy form. **However, for purposes of this Section, modifications affecting drug coverage shall not require approval by the commissioner.**

\* \* \*

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_