

Regular Session, 2014

SENATE BILL NO. 641

BY SENATOR JOHN SMITH

HEALTH/ACC INSURANCE. Authorizes promulgation of rules and regulations regarding processing of and payment of claims for certain self-insurers and self-insurance plans. (8/1/14)

1 AN ACT

2 To amend and reenact R.S. 22:451, relative to certain group self-insurers; to authorize
3 promulgation of rules and regulations for processing and payment of claims by
4 certain self-insurers and self-insurance plans; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 22:451 is hereby amended and reenacted to read as follows:

7 §451. Scope of provisions

8 A. This Subpart shall be applicable to and shall regulate self-insurers and
9 self-insurance plans, as defined in this Subpart, which are subject to jurisdiction of
10 the commissioner of insurance under this Title. This Subpart shall not be applicable
11 to any workers' compensation plan, except as otherwise provided in this Subpart.
12 This Subpart shall not apply to any arrangement or trust formed under Subpart J of
13 Part I of Chapter 10 of Title 23 of the Louisiana Revised Statutes of 1950.

14 B. Regulation Except as provided in Subsection C of this Section,
15 regulation under this Subpart shall not be deemed to and shall not make any self-
16 insurer or insurance plan an insurer or insurance policy solely because of such
17 regulation hereunder. Any entity regulated under this Subpart shall not be considered

1 or treated as an insurer or insurance policy solely because of such regulation.

2 **C. The commissioner of insurance shall promulgate rules and regulations**
3 **involving the processing and payment of health and accident claims by a self-**
4 **insurer and self-insurance plan. These rules and regulations shall address but**
5 **not be limited to issues involving notification of a claimant as to any payment**
6 **being sent to a health care provider and the amount of the payment.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Thomas L. Tyler.

DIGEST

John Smith (SB 641)

Present law provides that the Subpart involving group self-insurers in the Louisiana Insurance Code applies to and regulates self-insurers and self-insurance plans, as defined in present law which are subject to jurisdiction of the commissioner of insurance under the Louisiana Insurance Code (Code). Provides that the Subpart is not applicable to any workers' compensation plan, except as otherwise provided in present law and that it does not apply to any arrangement or trust formed under Subpart J of Part I of Chapter 10 of Title 23 of the Louisiana Revised Statutes of 1950.

Present law provides that regulation under the Subpart is not deemed to and shall not make any self-insurer or insurance plan an insurer or insurance policy solely because of regulation under the Subpart. Provides that entities regulated under the Subpart are not considered or to be treated as an insurer or insurance policy solely because of its regulation under the Subpart.

Proposed law retains these provisions but provides an except by specifically requiring the commissioner of insurance to promulgate rules and regulations involving the processing and payment of health and accident claims by a self-insurer and self-insurance plan. Requires that the rules and regulations address but not be limited to issues involving notification of a claimant as to any payment being sent to a health care provider and the amount of the payment

Effective August 1, 2014.

(Amends R.S. 22:451)