

Regular Session, 2003

SENATE BILL NO. 778

BY SENATOR IRONS

HEALTH/ACC INSURANCE. Provides for health insurance coverage for the treatment of certain medically necessary substance related disorders.

1 AN ACT

2 To enact R.S. 22:215.24, relative to health insurance; to provide for coverage
3 for the treatment of certain medically necessary substance related
4 disorders; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 22:215.24 is hereby enacted to read as follows:

7 §215.24. Health insurance coverage for medically necessary substance
8 related disorders

9 **R.S. 22:215.24 is all proposed new law.**

10 A. Any hospital, health, or medical expense insurance policy,
11 hospital or medical service contract, employee welfare benefit plan,
12 health and accident insurance policy, or any other insurance contract of
13 this type, including a group insurance plan other than the office of
14 group benefits, and a self-insurance plan, which is delivered or issued
15 for delivery in this state on or after January 1, 2004, shall include

1 benefits payable for medically necessary treatment of substance related
2 disorders, with the exception of caffeine-related disorders, as listed in
3 the Diagnostic and Statistical Manual of Mental Disorder IV, published
4 by the American Psychiatric Association. These benefits shall be
5 payable under the same circumstances and conditions as benefits are
6 paid under those policies, contracts, benefit plans, agreements, or
7 programs for all other diagnoses, treatments, illnesses, or accidents.

8 B. Any policy, contract, program, or plan may limit nonhospital
9 residential care to sixty days per calendar year. For the purposes of this
10 Section, "nonhospital residential care" shall mean medical, nursing,
11 counseling, or therapeutic service in a short or long term residential
12 environment to patients suffering from substance-related disorders,
13 according to individualized treatment plans.

14 C. An insurer may provide coverage for all or part of the
15 substance-related services required by this Section through a separate
16 specialized health care service plan or substance abuse plan. An insurer
17 is not required to obtain an additional or specialized license for
18 purposes of this Section.

19 D. This Section shall apply to any new policy, contract,
20 program, or plan issued on or after January 1, 2004. Any policy,
21 contract, or plan in effect prior to January 1, 2004, shall convert to
22 conform to the provisions of this Section on or before the renewal date
23 thereof but in no event later than January 1, 2005.

24 E. The provisions of this Section shall not apply to individually
25 underwritten limited benefit and supplemental health insurance
26 policies.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Erin D. Monroe.

DIGEST

Proposed law provides for health insurance coverage for medically necessary substance related disorders, excluding caffeine-related disorders.

Proposed law applies to those medically necessary substance related disorders listed in the Diagnostic and Statistical Manual of Mental Disorder IV, published by the American Psychiatric Association.

Proposed law provides that insurers may limit nonhospital residential care to 60 days per calendar year.

Proposed law is not applicable to individually underwritten limited benefit and supplemental health insurance policies.

(Adds R.S. 22:215.24)