

2024 Regular Session

HOUSE BILL NO. 392

BY REPRESENTATIVES FREEMAN AND CHASSION

MEDICAID: Provides relative to Medicaid and private insurance coverage for perimenopausal and menopausal care

1 AN ACT

2 To enact Part VIII of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of 1950, to
3 be comprised of R.S. 40:1259.1 through 1259.3, relative to coverage of
4 perimenopausal and menopausal care; to provide for hormonal and symptomatic
5 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. Part VIII of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of
9 1950, comprised of R.S. 40:1259.1 through 1259.3, is hereby enacted to read as follows:

10 PART VIII. MENOPAUSAL CARE COVERAGE

11 §1259.1. Menopausal care; Medicaid coverage

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

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

18 (1) Irregular menstrual periods.

19 (2) Hot flashes.

20 (3) Vaginal or bladder problems.

1 (4) Decrease in fertility.

2 (5) Loss of bone.

3 (6) Increase in low-density lipoprotein cholesterol levels.

4 (7) Sleep disruption, which includes night sweats.

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

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

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

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

14 §1259.2. Medicaid coverage for perimenopausal and menopausal care

15 A. The Louisiana Medicaid program shall cover inpatient and, if deemed
16 appropriate, outpatient coverage for perimenopausal or menopausal treatment or care
17 when such care or treatment is used for a medically accepted indication and
18 administered in any healthcare facility by any healthcare professional appropriately
19 licensed in this state to provide such medical treatment or care in accordance with
20 state and federal guidelines or certifications.

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

26 C.(1) To receive coverage from the Louisiana Medicaid program for
27 perimenopausal or menopausal treatment or care, the eligibility of a prospective
28 enrollee shall be determined by the healthcare facility appropriately providing

1 perimenopausal or menopausal treatment or care in accordance with state and federal
2 guidelines or certifications as provided in Subsection B of this Section.

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

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

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

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

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

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

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

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

21 §1259.3. Required coverage for perimenopausal and menopausal care

22 A health insurance issuer offering health coverage plans in this state that
23 provides hospital, medical, or surgical benefits for individuals covered under a
24 respective plan shall provide coverage for expenses incurred for medically necessary
25 perimenopausal and menopausal care or treatment.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 392 Reengrossed

2024 Regular Session

Freeman

Abstract: Provides for Medicaid and private insurance coverage for perimenopausal and menopausal care.

Proposed law requires La. Dept. of Health (LDH) to make available to persons who are eligible for Medicaid benefits under present law coverage benefits for hormonal menopausal care for any woman who is experiencing menopausal or perimenopausal symptoms.

Proposed law defines "perimenopausal" and "menopause".

Proposed law provides that symptoms for which such funding shall be made available include but are not limited to the following:

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

Proposed law provides that LDH may seek approval of a federal Medicaid waiver and state plan amendments as may be necessary to implement the provisions of this proposed law.

Proposed law requires the Medicaid program in this state to cover inpatient and, if deemed appropriate, outpatient coverage for perimenopausal or menopausal treatment or care when such care or treatment, is used for a medically accepted indication, and administered in any healthcare facility by any healthcare professional appropriately licensed in this state to provide such medical treatment or care in accordance with state and federal provisions.

Proposed law provides that the eligibility of a prospective enrollee shall be determined by the healthcare facility appropriately providing perimenopausal or menopausal treatment or care as provided in proposed law.

Proposed law establishes certain requirements for the secretary of LDH in compliance with proposed law.

Proposed law requires health insurance issuers offering health coverage plans in this state that provide hospital, medical, or surgical benefits for individuals covered under a respective plan to provide coverage for expenses incurred for medically necessary perimenopausal and menopausal care or treatment.

(Adds R.S. 40:1259.1-1259.3)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Remove the requirement for coverage from private insurers for perimenopausal and menopausal care.
2. Make technical corrections.

The House Floor Amendments to the engrossed bill:

1. Require health insurance issuers offering health coverage plans in this state that provide hospital, medical, or surgical benefits for individuals covered under a respective plan to provide coverage for expenses incurred for medically necessary perimenopausal and menopausal care or treatment.
2. Make technical corrections.