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EMERGENCY RULE     NOTICE OF INTENT     RULE     POTPOURRI

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This is your authority to publish in the (month) December, 2022 *Louisiana Register* the document indicated above.

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 Office/Board/Commission promulgating this document

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**DEPARTMENT OF INSURANCE**  
 Department under which office/board/commission is classified


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Basic Health Insurance Plan Pilot Program

Regulation 53  
 File name

Short descriptive listing for this document to be used in the *Louisiana Register's* TABLE OF CONTENTS/INDEX

  
 Signature of Agency Head or Designee  
Nicholas Lorusso, Chief Deputy Commissioner  
 Print Name and Title of Agency Head or Designee

**Important:** If submitting both an Emergency Rule (ER) and a Notice of Intent (NOI) to be published this month, AND if the rule text in the ER is identical to the rule text in the NOI, check here:

CERTIFICATION OF AVAILABLE FUNDS

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**LAGOV AGENCY:**

I certify the availability of fiscal year 22/23 appropriated funds for the payment of the above referenced publication and authorize the processing of an Interagency Billing with the following coding on the 30th of the month of the publication. Attach supplemental sheet for additional lines of coding.

<u>165</u>	<u>5450004</u>	<u>1652075032</u>	<u>—</u>	<u>165000200</u>	<u>—</u>	<u>—</u>	<u>—</u>
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## POTPOURRI

### Department of Insurance Office of the Commissioner

#### Regulation 53—Basic Health Insurance Plan Pilot Program (LAC 37:XIII.Chapter 31)

The Department of Insurance published a Notice of Intent to amend its rule, Regulation 53, to update statutory references that have been redesignated and to modify terminology as provided in Act 56 of the 2022 Regular Session of the Louisiana Legislature, in the October 20, 2022, Volume 48, No. 10 edition of the *Louisiana Register*. The Department of Insurance proposes the following change: to amend Section 3145.F of the current notice of intent of Regulation 53 by deleting the sentence “Nothing in the LA Health Plan shall be construed so as to be in violation of any federal or state law or regulation with the exception of laws specifically preempted by R.S. 22:2241-2247.” The Louisiana Basic Health Insurance Plan Pilot Program (LA Health) is not an active program and thus does not conform with current federal or state law. If LA Health becomes an active program in the future, Regulation 53 will be amended to conform with current federal or state law. Since this is a substantive change, the Louisiana Department of Insurance is giving the public an opportunity for a hearing as published in this potpourri.

#### Title 37

#### INSURANCE

#### Part XIII. Regulations

#### Chapter 31. Regulation Number 53—Basic Health Insurance Plan Pilot Program

#### §3145. General Provisions

F. The LA Health Plan shall be governed by the laws and regulations of the state of Louisiana and specifically those of the LA Health Plan. ~~Nothing in the LA Health Plan shall be construed so as to be in violation of any federal or state law or regulation with the exception of laws specifically preempted by R.S. 22:2241-2247.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, R.S. 22:2241-2247, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 20:1012 (September 1994), amended LR

#### PUBLIC HEARING

A public hearing on the proposed substantive change will be held by the Louisiana Department of Insurance on January 26, 2022, at 10:00 a.m. in the Poydras Hearing Room, Poydras Building, 1702 North Third Street, Baton Rouge, Louisiana. Interested persons who wish to make comments may do so at the public hearing or by writing to Jennifer Land, Louisiana Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804-9214. Comments will be accepted no later than January 26, 2022, by close of business, 4:30 p.m.