



STATE OF LOUISIANA
DIVISION OF ADMINISTRATION
OFFICE OF GROUP BENEFITS



In 2005, OGB adopted a rule through the Louisiana Administrative Procedure Act concerning Medicare. That rule is codified in the *Louisiana Administrative Code (LAC)*, LAC Online Publications, Title 32, Part 1, Section 309, titled “Medicare and OGB.” It provides, in pertinent part:

A. When an individual is covered by an OGB plan of benefits and by Medicare, Medicare laws and regulations govern the order of benefit determination, that is, whether Medicare is the primary or secondary payer.

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C. The following applies to retirees and their covered spouses who attain or have attained the age of 65 on or after July 1, 2005, and who have no other group health coverage through present (active) employment.

1. A retiree or spouse of a retiree who attains or has attained age 65 when either has sufficient earnings credits to be eligible for Medicare, *shall* enroll in Medicare Part A and Medicare Part B in order to receive benefits under an OGB plan except as specifically provided in Paragraph 2, below.

2. If such retiree or spouse of a retiree is not enrolled in Medicare Part A and Medicare Part B, no benefits will be paid or payable under an OGB plan of benefits except benefits payable as secondary to the part of Medicare in which the individual is enrolled. (*italics supplied*)

According to this rule, all Medicare-eligible plan participants who have no other group health coverage through present (active) employment are required to enroll in Medicare Part A and Part B.