

1 (a) Contracts between a supplier of information technology systems,
 2 information technology services, and software and the state or a state agency through
 3 which information technology systems, information technology services, and
 4 software, except for fiscal intermediary services ~~for the processing of claims of~~
 5 ~~health care providers~~, may be leased or purchased for a term of more than one fiscal
 6 year, but the term shall not exceed sixty months.

7 (b) Contracts for fiscal intermediary services ~~for the processing of claims~~
 8 ~~received from health care providers~~.

9 * * *

10 (15) "Related services" means and is limited to service activities affecting
 11 the maintenance of information technology equipment or software and the providing
 12 of fiscal intermediary services ~~in processing claims of health care providers~~.
 13 Notwithstanding any other provisions of law to the contrary, "related services" shall
 14 also mean those consulting services ancillary to the procurement of information
 15 technology hardware or software that would otherwise be governed by the provisions
 16 of professional, personal, consulting, and social services procurement in Chapter 17
 17 of this Title, provided those consulting services are limited to the lesser of twenty
 18 percent of the procurement amount or two hundred fifty thousand dollars.

19 * * *

20 (19) "Fiscal intermediary services" means an information technology system
 21 including, but not limited to, enterprise architecture, electronic visit verification,
 22 third-party liability, financial management, provider management system, care
 23 management, health care claims and encounter processing, payment integrity, data
 24 warehousing, and pharmacy benefit management, that is used for managing all or
 25 part of a Medicaid program.

26 §198. Types of contracts permitted

27 * * *

28 G. Multiyear contracts other than direct order contracts and contracts for
 29 fiscal intermediary services ~~in processing claims of health care providers~~. State

1 agencies may enter into contracts for the lease or purchase of information technology
2 systems, information technology services, or software when the term of such lease
3 or purchase is greater than twelve months or involves more than one fiscal year in
4 accordance with the following provisions:

5 * * *

6 I. Contracts for fiscal intermediary services ~~in processing claims of health~~
7 ~~care providers~~. State agencies may enter into contracts for fiscal intermediary
8 services ~~in processing claims of health care providers~~. The term of such a contract
9 shall be one hundred twenty months. In the event special circumstances, as provided
10 in Paragraph (9) of this Subsection, necessitate, additional one-year extensions of the
11 contract may be granted. The award process and final contract shall include the
12 following:

13 (1) Contracts for fiscal intermediary services ~~in processing claims of health~~
14 ~~care providers~~ shall be awarded by a competitive selection process which shall list
15 in the solicitation for proposals the method by which the contract shall be awarded
16 and include all criteria to be used and the weights assigned to each criterion.
17 Notwithstanding any provision of law to the contrary, contracts for fiscal
18 intermediary services may be procured through a cooperative purchasing agreement
19 with an agency from another state, provided such procurement meets the competitive
20 selection process requirements established in this paragraph. Any contract resulting
21 from such a procurement shall not require the participation of a Louisiana-licensed
22 dealer or distributor, and the Louisiana-based agency shall not be required to be the
23 lead on the contract. The procedure for issuance of the solicitation for proposals shall
24 be in accordance with guidelines published by the state central purchasing agency.
25 The selection of the contractor shall be made by the head of the using agency only
26 in accordance with the method and criteria as set forth in the solicitation for
27 proposals and in accordance with the recommendation of the procurement support
28 team.

29 * * *

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 618 Original

2021 Regular Session

Dustin Miller

Abstract: Expands the definition of "fiscal intermediary services" with respect to state information technology procurement.

Present law sets forth the procedures and regulations for state procurement of information technology systems and services. Proposed law retains present law.

Present law with respect to procurement of information technology systems and services restricts "fiscal intermediary services" to contracts for the processing of claims of health care providers. Proposed law expands the definition to include, for example, enterprise architecture, electronic visit verification, third-party liability, financial management, provider management system, care management, health care claims and encounter processing, payment integrity, data warehousing, and pharmacy benefit management.

Present law authorizes multiyear contracts for fiscal intermediary services in processing claims of health care providers. Proposed law authorizes multiyear contracts for fiscal intermediary services as defined in proposed law.

Present law restricts contracts for fiscal intermediary services in processing claims of health care providers to terms of one hundred and twenty months. Proposed law authorizes one hundred and twenty-month terms for fiscal intermediary services contracts as defined in proposed law.

Present law authorizes award of a fiscal intermediary services contract upon completion of a competitive selection process outlined in present law. Proposed law retains present law and further authorizes contracts for fiscal intermediary contracts to be awarded through a cooperative purchasing agreement with an agency from another state, provided such procurement meets the competitive selection process established in this paragraph. Further provides that any contract resulting from such a procurement shall not require the participation of a Louisiana-licensed dealer or distributor and the Louisiana-based agency shall not be required to be the lead on the contract.

Present law requires the fiscal intermediary to perform certain functions after the original contract has expired and before a new contract is entered into. These functions include efforts to control fraud and abuse, program reports, encounter data, and enrollment and program information services. Proposed law changes this requirement from mandatory to permissive.

Directs the La. State Law Institute to alphabetize and renumber the definitions in present law (R.S. 39:197) as amended by the provisions of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 39:197(12) and (15) and 198(G)(intro. para.) and (I)(intro. para.), (1), (5), and (9); Adds R.S. 39:197(19))