

**ACT No. 379**

2021 Regular Session

HOUSE BILL NO. 594

BY REPRESENTATIVE DUSTIN MILLER

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AN ACT

To enact R.S. 22:1821(G), relative to reimbursement rates; to prohibit a maximum reimbursement cap for certain ventilators or ventilation treatments; to provide certain criteria for reimbursement; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1821(G) is hereby enacted to read as follows:

§1821. Payment of claims; health and accident policies; prospective review; penalties; self-insurers; telemedicine reimbursement by insurers; prohibitions

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G.(1) Notwithstanding any provision of law to the contrary, an insurer, managed care company, or other payor shall not set a maximum dollar amount of reimbursement for non-invasive ventilators or ventilation treatments properly ordered and being used in an appropriate care setting.

(2)(a) The Centers for Medicare and Medicaid Services (CMS) classify ventilators as equipment requiring frequent and substantial servicing to avoid risk to patient health. The durable medical equipment (DME) supplier shall be required to provide the patient regular and comprehensive service and preventative maintenance by a certified or registered respiratory therapist. This service shall include but is not limited to masks, tubing, tracheotomy supplies, filters, and other supporting supplies and equipment. Reimbursement shall be at a rate negotiated with the payors to insure that a sustained level of service can be provided to the patient.

(b) Notwithstanding any provision of law to the contrary, an insurer, managed care company, subcontractor, third-party administrator or other payor shall

1           reimburse DME suppliers for home use non-invasive and invasive ventilators on a  
2           continuous monthly payment basis for the duration of medical need throughout a  
3           patient's valid prescription period.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_