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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christine Arbo Peck.

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DIGEST

SB 135 Engrossed

2018 Regular Session

Mills

Present law defines market strategy as any plan, strategy, or device developed or intended to promote, sell, or offer to sell any hospital health service. Proposed law retains present law and adds document and other health care services to the definition.

Present law defines strategic plan as any plan, strategy, or device developed or intended to construct, operate, maintain a health facility or engage in providing, promoting, or selling a hospital health service. Proposed law retains present law and adds document and provides an itemization of other health care services that are part of the hospital's strategic plan.

Present law provides for market strategies for existing or future hospital health services. Proposed law retains present law and provides for market strategies for existing or future other health care services.

Present law provides that market strategies and strategic plans for hospital service districts are not public records, but shall be subject to subpoena. Proposed law retains present law and clarifies that market strategies or strategic plans produced by subpoena are not public record and shall remain confidential.

Proposed law creates a rebuttable presumption that any documents, plans, strategies, or devices identified as strategic by the hospital service district meet the definitions of market strategies or strategic plans in present law and shall not be public record and shall be confidential.

Effective August 1, 2018.

(Amends R.S. 46:1072(3) and (4) and 1073(A) and (C); adds R.S. 46:1073(D))