

2024 Regular Session

HOUSE BILL NO. 655

BY REPRESENTATIVE MILLER

1 AN ACT

2 To enact R.S. 46:446.2 (E) and (F), relative to third-party liability for prior authorizations
3 and state claim inquiries; to provide for third-party prior authorizations; to provide
4 for third-party claim processing; to provide for an effective date; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 46: 446.2 (E) and (F) are hereby enacted to read as follows:

8 §446.2. Third-party liability; acquisition of rights

9 * * *

10 E. A third party that requires prior authorization for an item or service
11 furnished to an individual eligible to receive medical assistance in accordance with
12 this Title shall accept authorization provided by the department that the item or
13 service is covered under the State Plan, or waiver of such plan, for such individual
14 as if the authorization were a prior authorization made by the third party for the item
15 or service.

16 F. A third party shall:

17 (1) Respond not later than sixty days after receiving any inquiry by the
18 department regarding a claim for payment for any healthcare item or service that is
19 submitted not later than three years after the date of the provision of the healthcare
20 item or service.

21 (2) Not deny a claim submitted by the department solely on the basis of the
22 date of submission of the claim, the type or format of the claim form, or a failure to
23 present proper documentation at the point-of-sale that is the basis of the claim.

1 (3) Not deny a claim on the basis of failure to obtain a prior authorization for
2 the item or service for which the claim is being submitted if the claim is submitted
3 by the department within the three-year period beginning on the date on which the
4 item or service was furnished and any action by the department to enforce its rights
5 with respect to the claim is commenced within six years from the date the
6 department submitted the claim.

7 Section 2. This Act shall become effective upon signature by the governor or, if not
8 signed by the governor, upon expiration of the time for bills to become law without signature
9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
10 vetoed by the governor and subsequently approved by the legislature, this Act shall become
11 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____