

First Extraordinary Session, 2005

SENATE BILL NO. 84

BY SENATOR MCPHERSON

FEES/LICENSES/PERMITS. Provides relative to the effective date of the Healthcare Affordability Act. (gov sig)

1 AN ACT

2 To amend and reenact Section 5 of Act 182 of the 2005 Regular Session of the Legislature,
3 relative to state fees; to provide for the effective date of the Healthcare Affordability
4 Act; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Section 5 of Act 182 of the 2005 Regular Session of the Legislature is
7 hereby amended and reenacted to read as follows:

8 Section 5. **Sections 1, 4, and 5 of this** Act shall become effective upon
9 signature by the governor or, if not signed by the governor, upon expiration of the
10 time for bills to become law without signature by the governor, as provided by
11 Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor
12 and subsequently approved by the legislature, **Sections 1, 4, and 5 of this** Act shall
13 become effective on the day after such approval. **Sections 2 and 3 of this Act shall**
14 **become effective July 1, 2007; if vetoed by the governor and subsequently**
15 **approved by the legislature, Sections 2 and 3 of this Act shall become effective**
16 **on July 1, 2007.**

17 Section 2. This Act shall become effective upon signature by the governor or, if not

1 signed by the governor, upon expiration of the time for bills to become law without signature
2 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
3 vetoed by the governor and subsequently approved by the legislature, this Act shall become
4 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Mary Dozier O'Brien.

DIGEST

Present law establishes the Louisiana Healthcare Affordability Act, which provides for the levy of fees on net patient revenues of certain hospitals, the fees received shall be deposited into the Louisiana Healthcare Affordability Trust Fund.

Present law provides for penalties and sanctions for nonpayment of fees, as well as for the passing on of fees for ultimate payment by a patient or other payer.

Present law limits the collection of fees to \$90 million per fiscal year. If it is determined that collections will exceed such amount in any fiscal year, the fee percentage due for the next calendar quarter shall be reduced. The fee percentage may be increased if it is determined that collections will be less than \$86 million in any fiscal year.

Present law establishes the Louisiana Healthcare Affordability Trust Fund as a special fund in the state treasury. The source of monies for the fund are the fees levied on total net patient revenues of certain hospital and such monies may only be appropriated for purposes of the state Medicaid program under certain circumstances.

Present law provides that unexpended and unencumbered monies remaining in the fund at the end of the fiscal year shall remain to the credit of the fund. Monies in the fund shall be invested by the state treasurer in the same manner as those in the state general fund, and earnings shall be deposited into the fund.

Present law became effective June 28, 2005.

Proposed law retains present law and changes the effective date for present law to July 1, 2007.

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

(Amends §5 of Act 182 of the 2005 R.S.)