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**HOUSE FLOOR AMENDMENTS**

2016 First Extraordinary Session

Amendments proposed by Representative Mike Johnson to Engrossed House Bill No. 89 by Representative Stokes

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" and before "and to" delete "R.S. 46:440.1(E)(4)," and insert  
3 in lieu thereof the following:

4 "R.S. 46:437.14(A)(introductory paragraph) and (12) and 440.1(E)(4),"

5 AMENDMENT NO. 2

6 On page 1, delete line 3 in its entirety and insert in lieu thereof the following:

7 "46:437.3(31), 437.14(A)(13), (C), and (D), and 440.1(E)(5) and (F), relative to the Medical  
8 Assistance Programs Integrity Law; to provide for applicability of such law to contracts of  
9 certain health care providers with the Department of Health and Hospitals; to provide  
10 grounds for denial or revocation of health care provider enrollment in the medical assistance  
11 program of this state known commonly as Medicaid; to provide relative to the Medical  
12 Assistance Programs Fraud Detection"

13 AMENDMENT NO. 3

14 On page 1, line 16, after "Section 2." and before "hereby" delete "R.S. 46:440.1(E)(4) is" and  
15 insert in lieu thereof the following:

16 "R.S. 46:437.14(A)(introductory paragraph) and (12) and 440.1(E)(4) are"

17 AMENDMENT NO. 4

18 On page 1, delete line 17 in its entirety and insert in lieu thereof the following:

19 "46:437.3(31), 437.14(A)(13), (C), and (D), and 440.1(E)(5) and (F) are hereby enacted to  
20 read as follows:"

21 AMENDMENT NO. 5

22 On page 1, between lines 17 and 18, insert the following:

23 "§437.3. Definitions  
24 As used in this Part the following terms shall have the following meanings:

25 \* \* \*

26 (31) "Affiliate" means an entity that has with another entity a legal  
27 relationship created or governed by at least one written instrument that demonstrates  
28 any of the following:

29 (a) Common ownership, management, or control.

30 (b) A franchise agreement.



1 violation of the provisions of Paragraph (6), (11), or (12) of Subsection (A) of this  
2 Section pertaining to fraud or false claims submitted by the enrolled provider under  
3 the medical assistance program provided for in Title XIX of the Social Security Act,  
4 any other publicly funded medical assistance program, or any federal block grant  
5 program, then the applicant provider shall be considered ineligible to file an  
6 application with the department to obtain a license to establish or operate a health  
7 care facility in this state.

8 (3) The ineligibility of a health care provider to apply for a license pursuant  
9 to this Section does not depend on imposition by the department of prior or future  
10 sanctions on the health care provider, his agent, a managing employee,  
11 provider-in-fact, affiliate, or any person having an ownership interest equal to five  
12 percent or greater in the health care provider.

13 (4) If at least five years have passed from the time a provider initially  
14 became subject to being considered in violation of the provisions of Paragraph (6),  
15 (11), or (12) of Subsection (A) of this Section the provider shall be eligible to apply  
16 for a license under this Section."