
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 435 Original

2017 Regular Session

Talbot

Abstract: Requires that a healthcare facility advise a patient at least 72 hours prior to the scheduled date of a nonemergency surgery of the use of out-of-network medical providers.

Present law requires that a healthcare facility provide a written notice to a patient regarding the possible provision of services to a patient by facility-based providers who are out-of-network providers. Present law further requires that the patient be informed in the written notice that the patient may be responsible for all or part of the fees for out-of-network services.

Proposed law retains present law and further requires that at least 72 hours prior to a scheduled nonemergency surgery the healthcare facility provide a written notice to the patient of all providers who will be providing services during the surgical procedure whose fees are not included in the fees charged by the facility. Further provides that the healthcare facility include whether these additional providers are in the patient's network or are out-of-network providers.

Proposed law provides a patient an opportunity to replace out-of-network healthcare providers with in-network healthcare providers.

Proposed law provides that a healthcare facility that fails to provide a patient with the required notice will be responsible for the patient's fees not covered by the patient's health insurance provider.

Proposed law provides that violations are an unfair trade practice and may be investigated and penalized by the commissioner pursuant to the unfair trade practices provision in the Insurance Code, R.S. 22:1961 et seq.

(Adds R.S. 22:1880(E))