

2018 Regular Session

SENATE BILL NO. 414

BY SENATOR WHITE

HEALTH CARE. Provides relative to emergency medical services transporting patients to alternative destinations. (8/1/18)

1 AN ACT
2 To amend and reenact the introductory paragraph of R.S. 40:1131(4) and to enact R.S.
3 33:4791.1(A)(6) and (B)(7), and R.S. 40:1131.3 and 1133.14(A)(1)(c), relative to
4 emergency medical transportation services; to provide for alternative destination
5 transportation; to provide for regulation by municipalities and other local governing
6 authorities; to provide for definitions; to provide for duties and rulemaking; to
7 provide for a reimbursement methodology; to provide for an effective date; and to
8 provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 33:4791.1(A)(6) and (B)(7) are hereby enacted to read as follows:

11 §4791.1. Regulation by local governing authorities of ambulance services,
12 emergency medical services, and aspects attendant to ambulance
13 operation

14 A. The legislature hereby finds and declares the following:

15 * * *

16 **(6) The policy of this state is to ensure that transportation of a citizen by**
17 **ground ambulance be made to the most appropriate medical facility, which may**

1 include an alternative destination to a facility other than a hospital emergency
2 department based on a protocol that has been approved by the provider or
3 supplier's medical director.

4 B. Every municipality or other local governing authority may protect the
5 public health, safety, and welfare by licensing, controlling, and regulating by
6 ordinance or resolution privately operated ambulance services, the furnishing of
7 emergency medical services, and any and all aspects attendant to ambulance
8 operations within the jurisdiction of the municipality or other local governing
9 authority. Every municipality or other local governing authority is empowered to
10 regulate the following:

11 * * *

12 (7) The establishment of a protocol by all providers or suppliers
13 operating ground ambulance services within the municipality to ensure the safe
14 transport of a citizen to an alternative destination when the emergency medical
15 services personnel has determined that transport to a hospital emergency
16 department is not necessary. The alternative destination may include an urgent
17 care clinic, independent freestanding emergency center, or behavioral health
18 clinic.

19 * * *

20 Section 2. The introductory paragraph of R.S. 40:1131(4) is hereby amended and
21 reenacted and R.S. 40:1131.3 and 1133.14(A)(1)(c) are hereby enacted to read as follows:

22 §1131. Definitions

23 For purposes of this Chapter:

24 * * *

25 (4) "Ambulance service" or "ambulance provider" means any person, firm,
26 association, or government entity owning, controlling, or operating any business or
27 service which furnishes, operates, conducts, maintains, advertises, engages in,
28 proposes to engage in, or professes to engage in the business or service of
29 transporting, in ambulances, individuals who may need medical attention during

Proposed law clarifies that protocols may be established to allow for alternative destination transportation if the individual can be appropriately treated at a location other than a hospital emergency department. Clarifies that the alternative destination may be an urgent care clinic, independent freestanding emergency center, or behavioral health clinic.

Proposed law provides for rulemaking by the Department of Health to establish a reasonable and adequate reimbursement methodology for ground ambulance transfers to alternative destination locations.

Effective August 1, 2018.

(Amends R.S. 40:1131(4)(intro para); adds R.S. 33:4791.1(A)(6) and (B)(7), and R.S. 40:1131.3 and 1133:14(A)(1)(c))