SLS 18RS-596

ORIGINAL

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

Page 1 of 4 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

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	<u>clinic.</u>
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

Page 2 of 4 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	transport. Such transport may be made, based on approved protocols, to an
2	alternative destination when the individual can be properly cared for in a
3	location other than a hospital emergency department. The alternate destination
4	may include an urgent care clinic, independent free standing emergency center,
5	or behavioral health clinic. However, "ambulance service" and "ambulance
6	provider" shall not include any of the following:
7	* * *
8	§1131.3. Medical assistance program; ground ambulance transportation to
9	alternative destination reimbursement
10	The department shall promulgate rules and regulations to provide for
11	<u>a reimbursement methodology to cover alternative destination transport by a</u>
12	ground ambulance service provider to ensure that reimbursement rates are
13	reasonable and adequate.
14	* * *
15	§1133.14. Duties of emergency medical personnel
16	A.(1) A licensed emergency medical services practitioner may perform any
17	of the following functions:
18	* * *
19	(c) Determine based on approved protocols whether it is appropriate for
20	a person to be transported by ground ambulance to an alternative destination
21	for care other than a hospital emergency department. The alternative
22	destination may include an urgent care clinic, independent freestanding
23	emergency center, or behavioral health clinic.
24	* * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christine Arbo Peck.

DIGEST

SB 414 Original

2018 Regular Session

White

Present law provides for laws governing emergency medical services provided by ambulance transport but is silent on whether an emergency medical services provider can determine to transport an individual to a location other than a hospital emergency department.

Page 3 of 4

Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

<u>Proposed law</u> 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.

<u>Proposed law</u> 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))