

SENATE FLOOR AMENDMENTS

2020 Regular Session

Amendments proposed by Senator Fred Mills to Engrossed Senate Bill No. 132 by Senator Henry

1 AMENDMENT NO. 1

2 On page 1, line 2, after "To" insert "amend and reenact R.S. 39:198(I)(2), (6), (8)(b) and (c),
3 and (9) and to"

4 AMENDMENT NO. 2

5 On page 1, line 2, after "contracts;" insert "to provide for transfer of fiscal intermediary
6 contract award approval from the House and Senate committees on health and welfare to the
7 Joint Legislative Committee on the Budget;"

8 AMENDMENT NO. 3

9 On page 1, line 10, after "Section 1." insert "R.S. 39:198(I)(2), (6), (8)(b) and (c), and (9)
10 are hereby amended and reenacted and"

11 AMENDMENT NO. 4

12 On page 1, between lines 10 and 11, insert the following:

13 "§198. Types of contracts permitted

14 * * *

15 I. Contracts for fiscal intermediary services in processing claims of health
16 care providers. State agencies may enter into contracts for fiscal intermediary
17 services in processing claims of health care providers. The term of such a contract
18 shall be one hundred twenty months. In the event special circumstances, as provided
19 in Paragraph (9) of this Subsection, necessitate, additional one-year extensions of the
20 contract may be granted. The award process and final contract shall include the
21 following:

22 * * *

23 (2) Justification for the contract shall be submitted to the state central
24 purchasing agency and shall be submitted to the ~~House and Senate committees on~~
25 ~~health and welfare~~ **Joint Legislative Committee on the Budget** at least forty-five
26 days prior to the issuance of a solicitation for proposals. Within thirty days of receipt
27 of the justification by the ~~House and Senate committees on health and welfare, either~~
28 **Joint Legislative Committee on the Budget, the** committee may ~~convene a meeting~~
29 ~~separately or jointly for the purpose of conducting~~ **conduct** a public hearing on the
30 justification which was submitted. Such justification shall include identification and
31 consideration of all factors, including costs, relevant to the solicitation for proposals
32 and the final contract.

33 * * *

34 (6) No award of the contract shall be made until the ~~House and Senate~~
35 ~~committees on health and welfare, meeting jointly or a joint subcommittee thereof~~
36 **Joint Legislative Committee on the Budget** has conducted a public hearing
37 concerning such award.

38 * * *

39 (8) No option to renew such contract shall be exercised by the state until the
40 following criteria have been satisfied:

41 * * *

42 (b) The Louisiana Department of Health submits to the ~~House and Senate~~
43 ~~committees on health and welfare~~ **Joint Legislative Committee on the Budget** a
44 notice of intention by the Louisiana Department of Health to exercise the option to
45 renew such contract and a copy of any public testimony which was taken at the
46 public hearing held by the Louisiana Department of Health. The ~~House and Senate~~

1 ~~committees on health and welfare, meeting separately or jointly, **Joint Legislative**~~
2 ~~**Committee on the Budget**~~ may hold a public hearing concerning such renewal
3 within thirty days following the receipt of a notice of intention by the Louisiana
4 Department of Health to exercise the option to renew such contract.

5 (c) ~~The House and Senate committees on health and welfare, meeting~~
6 ~~separately or jointly, have **Joint Legislative Committee on the Budget** has~~
7 conducted a public hearing concerning such renewal or thirty days have elapsed from
8 the date the Louisiana Department of Health submitted a notice of intention to renew
9 such contract to the ~~House and Senate committees on health and welfare and neither~~
10 ~~**Joint Legislative Committee on the Budget and the**~~ committee has **not** posted a
11 public notice of meeting concerning the renewal of such contract.

12 (9) In the event the Louisiana Department of Health or the United States
13 Department of Health and Human Services, Centers for Medicare and Medicaid
14 Services proposes substantial changes in the operations of the Medicaid program that
15 would materially impact the services performed by the fiscal intermediary, the
16 Louisiana Department of Health may, subject to the approval of the ~~House and~~
17 ~~Senate committees on health and welfare~~ **Joint Legislative Committee on the**
18 **Budget**, approve additional extensions of the contract until such time as it is
19 practical to prepare a solicitation for proposals describing the revised services that
20 would be performed by the fiscal intermediary. During the time frame covered by
21 any extension beyond the original one-hundred-twenty-month period, the fiscal
22 intermediary may be required to perform additional functions to assist in preparing
23 the Louisiana Department of Health in the transition to the new program. Such
24 functions shall include existing fiscal intermediary services as well as efforts to
25 control fraud and abuse, program reports, beneficiary enrollment and program
26 information services, encounter data, and annual managed care negotiation data.

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