

2021 Regular Session

HOUSE BILL NO. 594

BY REPRESENTATIVE DUSTIN MILLER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

INSURANCE/HEALTH: Provides relative to reimbursement rates for certain ventilation treatments

1 AN ACT

2 To enact R.S. 22:1821(G), relative to reimbursement rates; to prohibit a maximum
3 reimbursement cap for certain ventilators or ventilation treatments; to provide certain
4 criteria for reimbursement; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 22:1821(G) is hereby enacted to read as follows:

7 §1821. Payment of claims; health and accident policies; prospective review;
8 penalties; self-insurers; telemedicine reimbursement by insurers; prohibitions

9 * * *

10 G. Notwithstanding any provision of law to the contrary, an insurer,
11 managed care company, or other payor shall not set a maximum dollar amount of
12 reimbursement for non-invasive ventilators or ventilation treatments properly
13 ordered and taking place in an appropriate care setting, and such reimbursements
14 shall be consistent with both of the following:

15 (1) Reimbursement for non-invasive ventilators may be based on the
16 reasonable and customary allowable amount for a standard ventilator to cover the
17 actual cost. If, during the course of treatment, the actual cost of a non-invasive
18 ventilator has been paid, such reimbursement for the ventilator may be terminated.

19 (2) Subsequent to termination of payment pursuant to Paragraph (1) of this
20 Subsection, reasonable reimbursement shall be provided for medically necessary
21 servicing of non-invasive ventilators and for medically necessary services provided
22 by a respiratory therapist in relation to the ventilation treatments.

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 594 Engrossed

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Dustin Miller

Abstract: Prohibits insurers, managed care companies, or other payors from setting caps on reimbursement for properly ordered non-invasive ventilation treatments.

Proposed law prohibits an insurer, managed care company, or other payor from setting a maximum dollar amount of reimbursement for non-invasive ventilators or ventilation treatments properly ordered and taking place in an appropriate care setting.

Proposed law provides that reimbursement to cover the actual cost of a non-invasive ventilator may be based on the reasonable and customary allowable amount for a standard ventilator. Further provides that if the actual cost of a non-invasive ventilator has been paid, such reimbursement for the ventilator may be terminated.

Proposed law provides that subsequent to termination of payment, reasonable reimbursement is required for medically necessary servicing of non-invasive ventilators and ventilation treatments provided by a respiratory therapist.

(Adds R.S. 22:1821(G))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Insurance to the original bill:

1. Add non-invasive ventilators for required reimbursement.
2. Provide that reimbursement to cover the actual cost of a non-invasive ventilator may be based on the reasonable and customary allowable amount for a standard ventilator. Provide that if the actual cost of a non-invasive ventilator has been paid, such reimbursement for the ventilator may be terminated.
3. Require reasonable reimbursement for medically necessary servicing of non-invasive ventilators and ventilation treatments provided by a respiratory therapist.