

2021 Regular Session

HOUSE BILL NO. 594

BY REPRESENTATIVE DUSTIN MILLER

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.(1) 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 being used in an appropriate care setting.

14 (2)(a) The Centers for Medicare and Medicaid Services (CMS) classify
15 ventilators as equipment requiring frequent and substantial servicing to avoid risk to
16 patient health. The durable medical equipment (DME) supplier shall be required to
17 provide the patient regular and comprehensive service and preventative maintenance
18 by a certified or registered respiratory therapist. This service shall include but is not
19 limited to masks, tubing, tracheotomy supplies, filters, and other supporting supplies
20 and equipment. Reimbursement shall be at a rate negotiated with the payors to
21 insure that a sustained level of service can be provided to the patient.

22 (b) Notwithstanding any provision of law to the contrary, an insurer,
23 managed care company, subcontractor, third-party administrator or other payor shall

1 reimburse DME suppliers for home use non-invasive and invasive ventilators on a
2 continuous monthly payment basis for the duration of medical need throughout a
3 patient's valid prescription period.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____