AN ACT

To enact R.S. 46:460.61(F) through (H), relative to the Medicaid managed care program of this state; to provide with respect to healthcare provider credentialing requirements in Medicaid managed care; to establish requirements relative to credentialing of certain providers who are affiliated with certain healthcare facilities; to provide for indemnification of the Louisiana Department of Health in certain instances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1.  R.S. 46:460.61(F) through (H) are hereby enacted to read as follows:

§460.61. Provider credentialing

* * *

F. All of the following providers shall be considered to have satisfied, and shall otherwise be exempt from having to satisfy, any credentialing requirements of a managed care organization:

(1) Any provider who maintains hospital privileges or is a member of a hospital medical staff with a hospital licensed in accordance with the Hospital Licensing Law, R.S. 40:2100 et seq.

(2) Any provider who is a member of the medical staff of a rural health clinic licensed in accordance with R.S. 40:2197 et seq.

(3) Any provider who is a member of the medical staff of a federally qualified health center as defined in R.S. 40:1185.3.
G. If the Centers for Medicare and Medicaid Services withholds or defers payment of, or disallows a claim for, federal financial participation, in whole or in part, based upon a determination that a provider exempted by Subsection F of this Section has not been credentialed or recredentialed as required by 42 CFR 438.214, the state may recoup or initiate other actions to recover from the provider or the hospital an amount equal to the federal financial participation withheld, deferred, or disallowed, in order that the state is indemnified from all losses and made whole.

H. The department may promulgate rules in accordance with the Administrative Procedure Act to provide for further credential-deeming authority applicable to other provider types with appropriate safeguards.

SPEAKER OF THE HOUSE OF REPRESENTATIVES  

PRESIDENT OF THE SENATE  

GOVERNOR OF THE STATE OF LOUISIANA  

APPROVED: ____________________

CODING: Words in struck through type are deletions from existing law; words underscored are additions.