

2022 Regular Session

SENATE BILL NO. 262

BY SENATOR BOUDREAUX

INSURERS. Provides relative to patient and provider access to care. (gov sig)

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AN ACT

To enact R.S. 22:1821(H), relative to health and accident insurance claims payments; to provide relative to health care; to provide relative to access to care for patients; to provide relative to certain criteria for reimbursement; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

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

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

prohibitions

* * *

H. An insurer, managed care organization, or other payor shall not discriminate against an accredited durable medical equipment supplier providing services prescribed by a patient's physician. Notwithstanding any other provision of law to the contrary, an insurer, managed care organization, subcontractor, third-party administrator, or other payor shall reimburse durable medical equipment suppliers no less than state Medicaid rates set for

1 **these services on a continuous monthly payment basis for the duration of the**
2 **medical need throughout a patient's valid prescription period.**

3 Section 2. This Act shall become effective upon signature by the governor or, if not
4 signed by the governor, upon expiration of the time for bills to become law without signature
5 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
6 vetoed by the governor and subsequently approved by the legislature, this Act shall become
7 effective on the day following such approval.

The original instrument was prepared by Angela Lockett-De Jean. The following digest, which does not constitute a part of the legislative instrument, was prepared by Beth O'Quin.

DIGEST

SB 262 Engrossed

2022 Regular Session

Boudreaux

Proposed law provides that an insurer, managed care organization, or other payor shall not discriminate against an accredited durable medical equipment "DME" supplier providing services prescribed by a patient's physician. Further provides that, notwithstanding any other provision of law to the contrary, an insurer, managed-care company, subcontractor, third-party administrator, or other payor shall reimburse DME suppliers no less than state Medicaid rates set for these services on a continuous monthly payment basis for the duration of the medical need throughout a patient's valid prescription period.

Effective upon signature of the governor or lapse of time for gubernatorial action.

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

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Insurance to the original bill

1. Changes managed-care company to managed care organization.