

ACT No. 143

2022 Regular Session

HOUSE BILL NO. 286

BY REPRESENTATIVE TURNER

1 AN ACT

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

8 Be it enacted by the Legislature of Louisiana:

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

10 §460.61. Provider credentialing

11 * * *

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

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

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

20 (3) Any provider who is a member of the medical staff of a federally
21 qualified health center as defined in R.S. 40:1185.3.

1 G. If the Centers for Medicare and Medicaid Services withholds or defers
2 payment of, or disallows a claim for, federal financial participation, in whole or in
3 part, based upon a determination that a provider exempted by Subsection F of this
4 Section has not been credentialed or recredentialed as required by 42 CFR 438.214,
5 the state may recoup or initiate other actions to recover from the provider or the
6 hospital an amount equal to the federal financial participation withheld, deferred, or
7 disallowed, in order that the state is indemnified from all losses and made whole.

8 H. The department may promulgate rules in accordance with the
9 Administrative Procedure Act to provide for further credential-deeming authority
10 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: _____