
DIGEST

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HB 863 Original

2024 Regular Session

Echols

Abstract: Provides for the adoption of a medical fee reimbursement schedule for workers' compensation claims.

Present law provides that the assistant secretary of the office of workers' compensation administration (assistant secretary) shall establish and promulgate a reimbursement schedule for drugs, supplies, and certain care, services, and treatments that are lawfully recognized in this state and which are applicable to any person or corporation that renders these drugs, supplies, care, services, or treatments.

Proposed law retains present law.

Present law provides that the reimbursement schedule shall include charges limited to the mean of the usual and customary charges for such care, services, treatment, drugs, and supplies. Present law further provides that any necessary adjustments to the reimbursement schedule may be made annually.

Proposed law instead requires that the reimbursement schedule include fees based on a foundation of Medicare with variable service aid reimbursement levels that shall be reasonable when compared to the workers' compensation reimbursement schedule of states that surround and have similar characteristics to this state and the reimbursement of private health claims. Proposed law also requires that any necessary adjustments to the reimbursement schedule shall be made annually and supported by data and information provided for in present law and proposed law.

Proposed law requires the assistant secretary to promulgate the initial reimbursement schedule, which shall be effective on Jan. 1, 2026.

Present law provides that the assistant secretary shall have the authority to collect the information and data necessary to calculate the reimbursement schedule. Present law further provides the guidelines for collecting the required information and data.

Proposed law repeals provisions of present law relative to the collection of the information and data necessary to calculate the reimbursement schedule. Proposed law instead requires the assistant secretary to contract, on or before Jan. 1, 2025, with a nationally recognized neutral, independent consultant having experience in supporting the development and maintenance of workers' compensation fee schedules and the ability to provide data and analysis to inform regulatory decisions.

Present law requires that all the collected information be considered confidential and privileged and prohibits such information from being subject to public record and subpoena. Present law further requires the assistant secretary, all employees of the office of workers' compensation, and the collaborating academic institution to strictly maintain such confidentiality and exclusive use of the collected information for the purpose of promulgating the workers' compensation reimbursement schedule.

Proposed law repeals the confidentiality and exclusivity requirements of the aforementioned individuals. Proposed law otherwise retains present law.

(Amends R.S. 23:1034.2(A) and (C)(1), (2), and (3))