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## DIGEST

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HB 863 Reengrossed

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 shall be reasonable when compared to the workers' compensation reimbursement schedule of states that surround and have similar characteristics of surrounding states. 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 retains present law.

Proposed law requires the assistant secretary to do all of the following:

- (1) Examine potential administrative and procedural relief for healthcare providers to ensure expedited care and payment.

- (2) Examine potential processes for paperwork reductions for healthcare providers.
- (3) Examine potential processes to expand medical markets for more access to patient care.
- (4) Include and consider any and all additional external stakeholders and partners in calculating the reimbursement schedule.
- (5) Collect information and data necessary to calculate the reimbursement schedule.

Proposed law requires the office of workers' compensation to report quarterly to the House and Senate committees on labor and industrial relations regarding the rate study and process and requires the committees to have legislative oversight over the process.

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 retains present law.

(Amends R.S. 23:1034.2(A) and (C)(1) and (2); Adds R.S. 23:1034.2(C)(5))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Labor and Industrial Relations to the original bill:

1. Provide for the calculation and promulgation of the medical reimbursement schedule.
2. Provide duties of the assistant secretary of the office of workers' compensation.
3. Provide for legislative reporting and oversight.
4. Restore provisions of present law that provides for the collection of information and data necessary for the calculation of the reimbursement schedule.
5. Make technical and title corrections.

The House Floor Amendments to the engrossed bill:

1. Restore provision of present law (R.S. 23:1034.2(C)(3)) concerning the consideration of certain collected information as being confidential and privileged.

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2. Make technical and title changes.