
DIGEST

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HB 676 Reengrossed

2026 Regular Session

Spell

Abstract: Creates the crime of fraudulent patient referrals or "body brokering".

Proposed law prohibits a person from knowingly or intentionally doing either of the following:

- (1) Soliciting, offering, paying, or receiving any fee, payment, rebate, commission, or anything of value for the referral of a patient to a residential substance abuse facility, mental health facility, or a facility licensed for substance use disorder treatment or services.
- (2) Urging or marketing to any person to make, furnish, or receive any fee, payment, rebate, commission, or anything of value for the referral of a patient to a residential substance abuse facility, mental health facility, or a facility licensed for substance use disorder treatment or services.

Proposed law provides for exceptions.

Proposed law defines the terms "person", and "residential substance abuse facility".

Proposed law provides for a penalty consisting of imprisonment with or without hard labor for not more than five years or a maximum fine of \$50,000, or both.

Proposed law provides for the payment of restitution to the victim and any other person who has suffered a financial loss as a result of the offense in accordance with present law (C.Cr.P. Art. 883.2).

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

(Adds R.S. 14:70.5.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Remove definitions for the terms "health care facility" and "health care provider".
2. Clarify the elements of proposed law.

3. Provide for an effective date upon the governor's signature or lapse of time for gubernatorial action.
4. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Change the elements of proposed law as follows:
 - (a) Remove proposed law that provides for a violation if the offender commits certain acts either directly or indirectly, overtly or covertly, in cash or in kind.
 - (b) Change proposed law reference from "including but not limited to bribes or kickbacks" to "anything of value".
 - (c) Remove assistance or conspiring as actions constituting a violation of proposed law in matters involving referral-related fees or commissions.
2. Clarify that proposed law does not apply to a person who, pursuant to a lawful agreement, makes, receives, or otherwise furnishes any fee, payment, commission, or rebate that does not vary based on certain criteria.
3. Remove proposed law that provides for civil penalties.
4. Make technical changes.