

Regular Session, 2014

SENATE BILL NO. 489

BY SENATOR HEITMEIER

HEALTH CARE. Provides relative to the diabetes annual action plan. (8/1/14)

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AN ACT

To amend and reenact the introductory paragraph of R.S. 46:2616 and to enact R.S. 46:2616(B), relative to the diabetes annual action plan; to provide the Department of Health and Hospitals authority to develop voluntary protocols; to provide relative to obligations of a health care professional; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The introductory paragraph of R.S. 46:2616 is hereby amended and reenacted, and R.S. 46:2616(B) is hereby enacted to read as follows:

§2616. Diabetes annual action plan; submission; content; **voluntary protocol; no duty of care**

A. The Department of Health and Hospitals shall submit an action plan, after consulting with and receiving comments from the medical director of each of its contracted Medicaid partners, to the Senate Committee on Health and Welfare and the House Committee on Health and Welfare no later than February first of each year on the following:

* * *

B.(1) The Department of Health and Hospitals shall develop and include

- 1 within the annual diabetes action plan voluntary protocols for health care
 2 professionals consisting of clinical quality and performance measures for the
 3 treatment of patients with diabetes. The clinical quality and performance
 4 measures shall include but not be limited to the following:
- 5 (a) A1c control.
 6 (b) Low density lipoprotein control.
 7 (c) High blood pressure control.
 8 (d) Hypoglycemia control.
 9 (e) Tobacco non-use.
- 10 (2) The development, recognition, or implementation of any voluntary
 11 protocol pursuant to this Subsection shall not be construed to establish a legal
 12 basis for negligence or the standard of care or duty of care owed by a health
 13 care provider to a patient in any civil action for medical malpractice or product
 14 liability.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christopher D. Adams.

DIGEST

Heitmeier (SB 489)

Present law provides the Department of Health and Hospitals (DHH) shall submit an action plan, after consulting with and receiving comments from the medical director of each of its contracted Medicaid partners, to the Senate Committee on Health and Welfare and the House Committee on Health and Welfare no later than February first of each year.

Proposed law amends present law to provide DHH shall develop and include within the annual diabetes action plan voluntary protocols for health care professionals consisting of clinical quality and performance measures for the treatment of patients with diabetes.

Proposed law provides the clinical quality and performance measures shall include but not be limited to the following:

- (1) A1c control.
- (2) Low density lipoprotein control.
- (3) High blood pressure control.
- (4) Hypoglycemia control.
- (5) Tobacco non-use.

Proposed law provides the development, recognition, or implementation of any voluntary

protocol pursuant to proposed law shall not be construed to establish a legal basis for negligence or the standard of care or duty of care owed by a health care provider to a patient in any civil action for medical malpractice or product liability.

Effective August 1, 2014.

(Amends R.S. 46:2616(intro para); adds R.S. 46:2616(B))