

---

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

---

HB 450 Original

2015 Regular Session

Schexnayder

**Abstract:** Creates the Home Health Agency Trust Fund and provides for the deposit of fines and penalties against home health agencies into the fund.

Present law provides for civil fines for healthcare facilities that violate state licensing and registration requirements. Home health agencies are one type of facility that are subject to fines if they do not follow state licensing and registration requirements in present law.

Present law further authorizes the Department of Health and Hospitals to collect the fines from healthcare facilities and creates the Health Care Facility Fund into which the collected fines are deposited.

Proposed law retains present law and exempts fines collected from home health agencies from deposit into the Health Care Facility Fund.

Proposed law creates the Home Health Agency Trust Fund and deposits civil fines collected from home health agencies as provided in present law and civil fines and monetary penalties imposed or levied against home health agencies received from the Centers for Medicare and Medicare Services into the fund. Further, the money in the fund shall be used solely in accordance with the provisions of 42 CFR Part 488, federal regulations which in part provide for the collection of penalties against home health agencies, and subject to approval by the Centers for Medicare and Medicaid Services

Proposed law directs the treasurer to transfer any civil fines or penalties from home health agencies received from the Centers for Medicare and Medicaid Services prior to the creation of the HHA Trust Fund into the HHA Trust Fund upon the effective date of proposed law.

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

(Amends R.S. 40:2199(F)(1); Adds R.S. 40:2199(G))