

RÉSUMÉ DIGEST

ACT 113 (HB 450)

2015 Regular Session

Schexnayder

Existing 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 existing law.

Existing 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.

New law exempts fines collected from home health agencies from deposit into the Health Care Facility Fund.

New law creates the Home Health Agency Trust Fund and deposits civil fines collected from home health agencies as provided in existing law and civil fines and monetary penalties imposed or levied against home health agencies received from the Centers for Medicare and Medicaid 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.

New 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 new law.

Effective upon signature of governor (June 19, 2015).

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