

1 HB185  
2 164463-4  
3 By Representative Johnson (R)  
4 RFD: Health  
5 First Read: 05-MAR-15



1           Section 1. Section ~~11-51-90.3~~ 11-51-90.4 is added to  
2 the Code of Alabama 1975, to read as follows:

3           ~~§11-51-90.3.~~ 11-51-90.4

4           (a) As used in this section, the term "qualified  
5 home health care or hospice agency or a qualified provider of  
6 durable medical equipment, prosthetics, orthotics, or health  
7 care supplies" means a corporation, limited liability company,  
8 or other business or nonprofit entity that provides either  
9 home health care or hospice services or durable medical  
10 equipment, prosthetics, orthotics, or health care supplies in  
11 this state and is licensed by the Alabama Board of Home  
12 Medical Equipment, or is licensed by the Alabama State Board  
13 of Prosthetists and Orthotists, or holds a certificate of need  
14 issued by the State Health Planning and Development Agency, or  
15 its successor, or is exempt by law or administrative rule or  
16 ruling from the requirement to obtain a certificate of need.

17           (b) Notwithstanding anything in Chapter 51 of Title  
18 11 to the contrary, a qualified home health care or hospice  
19 agency or a qualified provider of durable medical equipment,  
20 prosthetics, orthotics, or health care supplies shall be  
21 required to purchase a municipal or county business license  
22 only from the municipality ~~or~~ and county where it maintains  
23 its headquarters office and from each municipality ~~or~~ and  
24 county where it maintains a branch office or from the agent,  
25 including a private auditing firm, of the municipality.

26           (c) Notwithstanding anything in Chapter 51 of Title  
27 11 to the contrary, no health care employee or other agent or

1 representative of a qualified home health care or hospice  
2 agency or a qualified provider of durable medical equipment,  
3 prosthetics, orthotics, or health care supplies shall be  
4 required to purchase a municipal or county business or  
5 privilege license or otherwise be liable for a municipal or  
6 county business or privilege license tax or similar fee,  
7 including any delivery license or fee, on account of one or  
8 more service visits to a patient of the agency at his or her  
9 residence or one or more visits to a patient at a health care  
10 facility or other facility where the patient resides, whether  
11 temporarily or indefinitely, or because durable medical  
12 equipment or prosthetics or orthotics or health care supplies  
13 are delivered or furnished to a patient.

14 (d) A qualified home health care or hospice agency  
15 or a qualified provider of durable medical equipment,  
16 prosthetics, orthotics, or health care supplies as defined in  
17 subsection (a) may not be required to purchase any county or  
18 municipal license or pay any county or municipal license fee  
19 from or to any county or municipality, except where it  
20 maintains its headquarters office or where it maintains a  
21 branch office, for the delivery of any service or product  
22 which is reimbursed in whole or in part by Medicare, Medicaid,  
23 or other third party payer including, but not limited to, a  
24 health benefit plan, health insurance, workers' compensation,  
25 or similar third party payer.

26 Section 2. All laws or parts of laws which conflict  
27 with this act are repealed.

1                   Section 3. This act shall become effective  
2 immediately following its passage and approval by the  
3 Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Health ..... 05-MAR-15

Read for the second time and placed  
on the calendar 1 amendment ..... 02-APR-15

Read for the third time and passed  
as amended..... 19-MAY-15

Yeas 84, Nays 4, Abstains 7

Jeff Woodard  
Clerk