

**ACT No. 306**

2017 Regular Session

HOUSE BILL NO. 435

BY REPRESENTATIVE TALBOT

1 AN ACT

2 To amend and reenact R.S. 22:1880(C)(1) and (2) and to enact R.S. 22:1880(C)(4) and (E),  
3 relative to balance billing disclosure; to require that a healthcare facility disclose to  
4 a patient out-of-network providers; to provide for notice to insureds of possible  
5 balance billing at first registration with a healthcare facility; to provide for penalties  
6 for failure to disclose; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:1880(C)(1) and (2) are hereby amended and reenacted and R.S.  
9 22:1880(C)(4) and (E) are hereby enacted to read as follows:

10 §1880. Balance billing disclosure

11 \* \* \*

12 C. Facility disclosure requirements. Each ~~health-care~~ healthcare facility  
13 shall:

14 (1) Provide a written notice to an enrollee or insured at the first registration  
15 contact with the enrollee or insured at the ~~health-care~~ healthcare facility regarding  
16 nonemergency services. A copy of the written notice shall be signed by the enrollee  
17 or insured and be maintained by the healthcare facility. ~~disclosing~~ The written notice  
18 shall disclose the following items:

19 (a) Confirmation as to whether the facility is a participating provider  
20 contracted with the enrollee's or insured's health insurance issuer on the date services  
21 are to be rendered, based on the information received from the enrollee or insured  
22 at the time the confirmation is provided.

1 (b) The following balance billing disclosure notice in minimum 12 point  
 2 typeface:

3 "NOTICE

4 ~~HEALTH CARE SERVICES MAY BE PROVIDED TO YOU AT A NETWORK~~  
 5 ~~HEALTH CARE FACILITY BY FACILITY-BASED PHYSICIANS WHO ARE~~  
 6 ~~NOT IN YOUR HEALTH PLAN. YOU MAY BE RESPONSIBLE FOR~~  
 7 ~~PAYMENT OF ALL OR PART OF THE FEES FOR THOSE OUT-OF-NETWORK~~  
 8 ~~SERVICES, IN ADDITION TO APPLICABLE AMOUNTS DUE FOR~~  
 9 ~~CO-PAYMENTS, COINSURANCE, DEDUCTIBLES, AND NON-COVERED~~  
 10 ~~SERVICES. SPECIFIC INFORMATION ABOUT IN-NETWORK AND~~  
 11 ~~OUT-OF-NETWORK FACILITY-BASED PHYSICIANS CAN BE FOUND AT~~  
 12 ~~THE WEBSITE ADDRESS OF YOUR HEALTH PLAN OR BY CALLING THE~~  
 13 ~~CUSTOMER SERVICE TELEPHONE NUMBER OF YOUR HEALTH PLAN".~~

14 Professional services rendered by independent healthcare professionals are  
 15 not part of the hospital bill. These services will be billed to the patient separately.  
 16 Please understand that physicians or other healthcare professionals may be called  
 17 upon to provide care or services to you or on your behalf, but you may not actually  
 18 see, or be examined by, all physicians or healthcare professionals participating in  
 19 your care; for example, you may not see physicians providing radiology, pathology,  
 20 and EKG interpretation. In many instances, there will be a separate charge for  
 21 professional services rendered by physicians to you or on your behalf, and you will  
 22 receive a bill for these professional services that is separate from the bill for hospital  
 23 services. These independent healthcare professionals may not participate in your  
 24 health plan and you may be responsible for payment of all or part of the fees for the  
 25 services provided by these physicians who have provided out-of-network services,  
 26 in addition to applicable amounts due for copayments, coinsurance, deductibles, and  
 27 non-covered services.

28 We encourage you to contact your health plan to determine whether the  
 29 independent healthcare professionals are participating with your health plan. In  
 30 order to obtain the most accurate and up-to-date information about in-network and



1                    E. The provisions of this Section shall be enforced in accordance with R.S.  
2                    22:1879(D) and (E).

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_