

2024 Regular Session

HOUSE BILL NO. 558

BY REPRESENTATIVE TURNER

MEDICAID: Provides relative to the Local Healthcare Provider Participation Program

1 AN ACT

2 To amend and reenact R.S. 40:1248.1(3) and (6), 1248.3, 1287.7(A) and (C)(1) and (2), and
3 1248.8(A) through (D), to enact R.S. 40:1248.1(7) and 1248.5(D), and to repeal R.S.
4 40:1248.11 and 1248.12, relative to the Local Healthcare Provider Participation
5 Program; to provide for definitions; to provide for parish applicability; to identify
6 providers subject to the local hospital assessment payments; to provide a basis by
7 which hospital payments shall be assessed; to provide for an effective date; and to
8 provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 40:1248.1(3) and (6), 1248.3, 1287.7(A) and (C)(1) and (2), and
11 1248.8(A) through (D) are hereby amended and reenacted and R.S. 40:1248.1(7) and
12 1248.5(D) are hereby enacted to read as follows:

13 §1248.1. Definitions

14 As used in this Subpart, the following terms have the meaning ascribed to
15 them in this Section:

16 * * *

17 (3) "Institutional provider" means ~~a nongovernmental hospital licensed in~~
18 ~~accordance with the Hospital Licensing Law, R.S. 40:2100 et seq.~~ a governmental
19 institutional provider, nongovernmental institutional provider, or rural hospital, as
20 applicable, located in participating parishes.

21 * * *

beds on a specific date, and meets certain criteria. Proposed law redefines "rural institutional provider" as a rural hospital as defined in present law.

Present law defines "nongovernmental institutional provider" as a hospital licensed in accordance with present law that is not a governmental institutional provider or rural hospital.

Present law provides that the provisions of present law shall apply exclusively to parishes that meet certain criteria. Proposed law removes the criteria and provides that the provisions of present law shall apply to any parish in which at least two institutional providers are located.

Proposed law provides that a hospital provider may be included in assessment payments imposed under present law if the rural hospital and parish enter into a mutual agreement to include the rural hospital. Proposed law further provides that a parish may include or exclude any or all governmental institutional providers from assessment payments imposed under present law.

Proposed law provides that, if a parish excludes providers, the definition of institutional provider as used in this present law shall be read to exclude such excluded providers.

Present law requires each parish that collects a local hospital assessment payment authorized by present law or in which a rural institutional provider is located to create a local provider participation fund. Proposed law removes language that requires each parish in which a rural institutional provider is located to create such a fund.

Present law provides that monies in the local provider participation fund may be used only to fund intergovernmental transfers as provided in present law in an amount not to exceed the 5% amount of the local hospital assessment payment as specified in present law. Proposed law removes references to rural institutional providers and the 5% amount of the local hospital assessment payment.

Proposed law provides that, except as provided in present law, a parish that collects a local hospital assessment payment authorized by present law may require an annual local hospital assessment payment to be assessed quarterly on the net patient revenue of each institutional provider located in the parish. Present law further provides that in the first year in which the local hospital assessment payment is required, the local hospital assessment payment shall be assessed on the net patient revenue of an institutional provider and requires the parish to update the amount of the local hospital assessment payment on an annual basis.

Proposed law removes language relative to the net patient revenue of an institutional provider and requires the annual local hospital assessment payment to be assessed quarterly using any basis permitted by present law.

Present law requires the amount of a local hospital assessment payments authorized by present law to be uniformly proportionate with the amount of net patient revenue generated by each paying hospital in the parish. Proposed law requires the amount of a local hospital assessment payment authorized by present law to be uniformly imposed on each paying hospital in the parish.

Present law provides that the amount of the local hospital assessment payment required of each paying hospital may not exceed an amount that, when added to the amount of the local hospital assessment payments required from all other paying hospitals in the parish, and the amount of any assessment, local hospital assessment payment, or tax imposed by the state, equals an amount of revenue that exceeds 6% of the aggregate net patient revenue of all paying hospitals in the parish.

Proposed law provides the amounts of any other assessment, local hospital assessment payment, or tax imposed by the state with a similar purpose, equals an amount of revenue that exceeds 6% of the aggregate net patient revenue of all hospitals in the state.

Present law provides that the amount of revenue from local hospital assessment payments used for administrative expenses for parish activities in a year may not exceed 5% of the total revenue generated from the local hospital assessment payment or \$20,000, whichever is greater. Proposed law amends present law to whichever is lower.

Proposed law repeals present law relative to enhanced reimbursement for governmental institutional providers and rural institutional providers.

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

(Amends R.S. 40:1248.1(3) and (6), 1248.3, 1287.7(A) and (C)(1) and (2), and 1248.8(A)-(D); Adds R.S. 40:1248.1(7) and 1248.5(D); Repeals R.S. 40:1248.11 and 1248.12)