

2018 Regular Session

HOUSE BILL NO. 824

BY REPRESENTATIVE TALBOT

1 AN ACT

2 To amend and reenact R.S. 22:1880(C)(introductory paragraph) and (1)(introductory
3 paragraph), to enact R.S. 22:1880.1, and to repeal R.S. 22:1880(C)(4), relative to
4 balance billing facility disclosure requirements; to require a healthcare facility to
5 provide a notice to insureds of possible balance billing for services provided at a
6 healthcare facility; to require the posting of potential facility charges; to provide for
7 an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 22:1880(C)(introductory paragraph) and (1)(introductory paragraph)
10 are hereby amended and reenacted and R.S. 22:1880.1 is hereby enacted to read as follows:

11 §1880. Balance billing disclosure

12 * * *

13 C. Facility disclosure requirements. Each healthcare facility shall do all of
14 the following:

15 (1) Provide a written notice ~~to an enrollee or insured at the first registration~~
16 ~~contact with the enrollee or insured at the healthcare facility regarding~~
17 ~~nonemergency services. A copy of the written notice shall be signed by the enrollee~~
18 ~~or insured and be maintained by the healthcare facility. The written notice shall~~
19 regarding nonemergency services to a patient whenever a healthcare facility provides
20 a notice of privacy practices pursuant to 45 CFR 164.520 to a patient for whom the
21 healthcare facility has knowledge that a contract with a health insurance issuer is

1 effective or upon the request of the patient. The written notice shall be signed by the
2 patient and disclose both of the following items:

3 * * *

4 §1880.1. Provider-based entity disclosure

5 If a facility meets the definition of a provider-based entity, as defined by 42
6 CFR 413.65, and the facility is located off of the main hospital campus, the facility
7 shall publicly post a notice to every patient disclosing the following:

8 (1) That the enrollee or insured is receiving services in a hospital-based
9 outpatient facility where the facility provides the use of the facility, medical, or
10 technical equipment, supplies, staff, and services.

11 (2) That depending on the enrollee's or insured's health insurance benefit plan
12 and the actual services furnished by the facility, the patient may receive a facility
13 charge billed separately from the physician that covers the fees for the use of the
14 facility, medical, or technical equipment, supplies, staff, and services.

15 Section 2. R.S. 22:1880(C)(4) is hereby repealed in its entirety.

16 Section 3. This Act shall become effective upon signature by the governor or, if not
17 signed by the governor, upon expiration of the time for bills to become law without signature
18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
19 vetoed by the governor and subsequently approved by the legislature, this Act shall become
20 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____