

1 WHEREAS, providers of certain medical specialties, including emergency care and
2 anesthesiology, often work in a hospital as independent contractors rather than as the
3 hospital's employees; and

4 WHEREAS, many consumers face unexpected and unaffordable out-of-network
5 medical bills without knowledge that their providers were out-of-network at the time they
6 received care; and

7 WHEREAS, even when patients make every effort to see healthcare providers in
8 their insurance network, situations may arise where they are treated by out-of-network
9 providers without their knowledge and consent; and

10 WHEREAS, because out-of-network providers may charge higher rates but are not
11 required to disclose this information, patients can find themselves recovering from a serious
12 disease or illness while facing higher than anticipated out-of-pocket medical costs; and

13 WHEREAS, these medical costs can result in aggressive collection activity targeted
14 at patients and their families and harm consumers by damaging their personal credit ratings
15 for years after treatment; and

16 WHEREAS, several states have passed laws to protect healthcare consumers from
17 surprise insurance gaps; thus, consumers are protected from receiving a balance bill; and

18 WHEREAS, there is insufficient protection in Louisiana law from surprise insurance
19 gaps relative to other states, and it is beneficial to conduct a study into how these laws are
20 working in other states and how these laws may be beneficial to Louisiana residents.

21 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
22 authorize and request the chairmen of the House Committee on Insurance and the Senate
23 Committee on Insurance, acting jointly, to appoint a joint subcommittee composed of
24 members from each committee to research, study, and make recommendations for proposed
25 legislation and policy changes to address the issue of balance or surprise billing in Louisiana.

26 BE IT FURTHER RESOLVED that the joint subcommittee shall be composed of six
27 members with equal representation from each standing committee, and the members of the
28 joint subcommittee shall elect a chairman by majority vote at the subcommittee's first
29 meeting.

1 BE IT FURTHER RESOLVED that the joint subcommittee shall do all of the
2 following:

3 (1) Study the issues related to balance billing that must be addressed to provide
4 solutions to balance billing and related issues.

5 (2) Assess the impact to commerce, including cost to consumers through balance
6 billing and health insurance premiums, compliance cost for healthcare providers, and
7 compliance cost for health insurers.

8 (3) Assess the need for direct payment by health insurance companies and health
9 maintenance organizations to out-of-network providers.

10 (4) Seek best practices for providing health services price transparency.

11 (5) Evaluate the approaches and solutions taken by other states in order to
12 recommend a comprehensive legislative solution that will best protect Louisiana consumers
13 from balance billing by healthcare providers.

14 (6) Assess the potential fiscal impact to this state of applying the various potential
15 approaches used in other states.

16 (7) Identify preferable legislative solutions for this state that best address the
17 problem without a fiscal impact to this state.

18 BE IT FURTHER RESOLVED that in undertaking the study, the joint subcommittee
19 shall conduct public hearings and seek input from the Louisiana Department of Insurance
20 and may request research, documents, or data and take any other actions it deems necessary
21 to carry out its functions.

22 BE IT FURTHER RESOLVED that the joint subcommittee shall also seek input,
23 recommendations, and advice from the following:

24 (1) State medical and behavioral health services provider associations.

25 (2) Not-for-profit organizations representing hospitals and other healthcare systems,
26 including the Louisiana Hospital Association.

27 (3) Representatives of health insurance companies, including health maintenance
28 organizations, issuing health benefit plans in this state.

29 (4) Representatives of health insurance underwriters groups.

30 (5) Two patient-focused consumer advocate groups.

1 BE IT FURTHER RESOLVED that the joint subcommittee shall report its findings
2 and recommendations to the Legislature of Louisiana including any proposed legislation
3 prior to the convening of the next 2020 Extraordinary Session but no later than September
4 30, 2020.

5 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
6 commissioner of insurance.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR 26 Original

2020 First Extraordinary Session

Brown

Requests the chairmen of the House Committee on Insurance and the Senate Committee on Insurance to jointly appoint a subcommittee composed of members from each committee to research, study, and make recommendations for proposed legislation and policy changes to address the issue of balance or surprise billing in Louisiana.

Requests a written report and any proposed legislation prior to the convening of the next 2020 Extraordinary Session but no later than Sept. 30, 2020.