

SENATE BILL NO. 683

BY SENATOR LAFLEUR

1 AN ACT

2 To enact R.S. 22:1826, relative to noncontracted providers of emergency services; to require
3 health insurance issuers to directly pay such providers pursuant to a plan or policy
4 provisions for such services; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 22:1826 is hereby enacted to read as follows:

7 **§1826. Payment of claims for emergency services provided by noncontracted**
8 **health care providers**

9 **A. If a health care provider that does not contract with a health**
10 **insurance issuer files a claim with a health insurance issuer for emergency**
11 **services rendered, the health insurance issuer shall directly pay such a claim by**
12 **a noncontracted provider in the amount as determined pursuant to the plan or**
13 **policy provisions between the enrollee or insured and the health insurance**
14 **issuer, less any amount representing coinsurance, copayments, deductibles,**
15 **noncovered services, or any other amounts identified by the health insurance**
16 **issuer pursuant to the plan or policy provisions, as an amount for which the**
17 **insured or enrollee is liable. Payment of such claim by the health insurance**
18 **issuer shall in no circumstances be made directly to the patient, insured, or**
19 **enrollee.**

20 **B. For purposes of this Section, "health insurance issuer" means any**
21 **entity that offers health insurance coverage through a policy or certificate of**
22 **insurance subject to state law that regulates the business of insurance. The term**
23 **shall also include a health maintenance organization, as defined and licensed**
24 **pursuant to Subpart I of Part I of Chapter 2 of this Title, and nonfederal**

1 government plans subject to the provisions of Subpart B of this Part and the
2 office of group benefits.

3 C. The provisions of this Section shall not apply to limited benefit health
4 insurance policies or contracts.

5 Section 2. This Act shall become effective on November 15, 2010.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____