

2015 Regular Session

HOUSE BILL NO. 307

BY REPRESENTATIVE JACKSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MENTAL HEALTH: Provides relative to coverage and payment for services rendered to a person admitted under an emergency certificate

1 AN ACT

2 To enact R.S. 28:53(P), relative to admission by emergency certificate; to prohibit denial of
3 coverage or refusal to pay claims for services rendered while under an emergency
4 certificate on the basis of medical necessity; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 28:53(P) is hereby enacted to read as follows:

7 §53. Admission by emergency certificate; extension; payment for services rendered

8 * * *

9 P. Notwithstanding any provision of law to the contrary, no claim for
10 payment for services provided to a person while admitted and detained under an
11 emergency certificate, issued in accordance with the provisions of this Section, shall
12 be denied by Medicaid, an entity contracted with the state for the provision of
13 Medicaid services, or any hospital, health, or medical expense insurance policy,
14 hospital or medical service contract, employee welfare benefit plan, contract or other
15 agreement with a health maintenance organization or a preferred provider
16 organization, health and accident insurance policy, or any other insurance contract
17 of this type in this state, including a group insurance plan, a self-insurance plan, and
18 the Office of Group Benefits programs, on the basis of medical necessity.

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)]

HB 307 Original

2015 Regular Session

Jackson

Abstract: Prohibits the denial of a claim for payment of services provided to a person admitted under an emergency certificate on the basis of medical necessity.

Present law provides that a person who is mentally ill or a person who is suffering from substance abuse may be admitted and detained at a treatment facility for observation, diagnosis, and treatment for a period not to exceed 15 days under an emergency certificate. Further provides that a person suffering from substance abuse may be detained at a treatment facility for one additional period, not to exceed 15 days, provided that a second emergency certificate is executed.

Proposed law prohibits an insurer, including an entity contracted with the state for the provision of Medicaid services and the Office of Group Benefits programs, from denying payment for services provided to a person admitted under an emergency certificate on the basis of medical necessity.

(Adds R.S. 28:53(P))