

CONFERENCE COMMITTEE REPORT

HB 250

2019 Regular Session

Davis

June 4, 2019

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 250 by Representative Davis, recommend the following concerning the Reengrossed bill:

1. That Senate Committee Amendment No. 2 by the Committee on Health and Welfare (#1958) be adopted.
2. That Senate Committee Amendment No. 1 by the Committee on Health and Welfare (#1958) be rejected.
3. That the set of amendments by the Legislative Bureau (#2065) be rejected.
4. That the set of Senate Floor Amendments by Senator Luneau (#2241) be rejected.
5. That the following amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 2, at the beginning of line 16, change "A." to "A.(1)"

AMENDMENT NO. 2

On page 2, line 17, delete "which" and insert in lieu thereof "that"

AMENDMENT NO. 3

On page 2, at the beginning of line 19, change "(1)" to "(a)"

AMENDMENT NO. 4

On page 2, at the beginning of line 21, change "(2)" to "(b)"

AMENDMENT NO. 5

On page 2, between lines 22 and 23, insert the following:

"(2) For purposes of this Section, "onsite access" shall mean delivery of the treatment to the patient at the location of the residential substance use disorder facility. "Onsite access" shall not mean that the residential substance use disorder facility is required to maintain stock of the medication-assisted treatment at the facility.

(3) A residential substance use disorder facility shall not be found to be in violation of this Section if prior authorization from a patient's health insurer, including a Medicaid program, is required and the preapproval request is denied by the patient's health insurer."

Respectfully submitted,

Representative Paula Davis

Senator Fred Mills

Representative Frank A. Hoffmann

Senator Gerald Boudreaux

Representative Dustin Miller

Senator Jay Luneau

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)]

CONFERENCE COMMITTEE REPORT DIGEST

HB 250

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Davis

Keyword and oneliner of the instrument as it left the House

HEALTH/BEHAVIORAL: Requires residential treatment facilities to provide access to medication-assisted treatment for patients with opioid use disorder

Report adopts Senate amendments to:

1. Extend the period in which the La. Department of Health is prohibited from taking actions against treatment providers to enforce proposed law by changing the date of its conclusion from Jan. 1, 2020, to Jan. 1, 2021.

Report rejects Senate amendments which would have:

1. Added then deleted a revision to proposed law requiring that access to opioid antagonist treatment at certain treatment facilities be provided onsite or by referral.
2. Repeated the term "onsite" in provisions relative to onsite access to partial opioid agonist treatment.
3. Made a technical change.

Report amends the bill to:

1. Stipulate that for purposes of proposed law, "onsite access" means delivery of treatment to the patient at the location of the residential treatment facility, but shall not mean that the facility is required to maintain stock of the medication-assisted treatment at the facility.
2. Provide that a residential treatment facility shall not be found to be in violation of proposed law if prior authorization from a patient's health insurer, including a Medicaid program, is required and the preapproval request is denied by the patient's health insurer.

Digest of the bill as proposed by the Conference Committee

Proposed law requires each residential treatment facility licensed pursuant to present law, R.S. 40:2151 et seq., which provides treatment for opioid use disorder to provide all of the following:

- (1) Onsite access to at least one form of FDA-approved opioid antagonist treatment.
- (2) Onsite access to at least one form of FDA-approved partial opioid agonist treatment.

Proposed law stipulates that for purposes of proposed law, "onsite access" means delivery of treatment to the patient at the location of the residential treatment facility, but shall not mean that the facility is required to maintain stock of the medication-assisted treatment at the facility.

Proposed law provides that a residential treatment facility shall not be found to be in violation of proposed law if prior authorization from a patient's health insurer, including a Medicaid program, is required and the preapproval request is denied by the patient's health insurer.

Proposed law requires each residential substance use disorder facility licensed pursuant to present law which provides treatment for opioid use disorder to submit to the La. Department of Health (LDH) on its initial licensing application or its annual licensing renewal application an attestation as to whether it is complying with the requirements of proposed law. Provides that the requirement for submission of the attestation shall commence on Jan. 1, 2021. Provides further that if the licensed facility is not fully complying with the requirements of proposed law, then its attestation shall include a report addressing its progress toward satisfying those requirements.

Proposed law prohibits LDH from taking any action prior to Jan. 1, 2021, to enforce the requirements of proposed law for residential substance use disorder facilities to submit attestations to the department relative to their compliance with proposed law.

Proposed law prohibits LDH from taking any action prior to Jan. 1, 2021, against a residential treatment facility licensed as of the effective date of proposed law for failure to comply with proposed law.

Effective Jan. 1, 2020.

(Amends R.S. 40:2156(B)(intro. para.) and (6); Adds R.S. 40:2153(15) and 2159.1)