
DIGEST

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HB 73 Engrossed

2021 Regular Session

Crews

Abstract: Authorizes the La. Department of Health to contract for the administration of the Medicaid estate recovery program and authorizes contingency fee contracts for this function.

Present law requires the La. Department of Health (LDH) to establish an estate recovery program in compliance with federal Medicaid law, 42 U.S.C. 1396p, for the purpose of recovering Medicaid payments made on behalf of individuals from their succession estates.

Proposed law retains present law and authorizes LDH to contract for the administration of the Medicaid estate recovery program through one or more agreements with public or private entities.

Proposed law authorizes LDH, at the discretion of the secretary of the department, to contract on a contingency fee basis for any Medicaid estate recovery function.

Proposed law stipulates that any contract LDH enters into pursuant to proposed law shall require that estate recovery functions be conducted exclusively by attorneys who are licensed by and in good standing with the La. State Bar Association.

(Amends R.S. 42:262(A) and (B) and R.S. 46:153.4(H); Adds R.S. 46:153.4(I))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Delete the requirement in proposed law that LDH contract for the administration of the Medicaid estate recovery program and instead authorize the department to do so.
2. Stipulate that any contract LDH enters into pursuant to proposed law shall require that estate recovery functions be conducted exclusively by attorneys who are licensed by and in good standing with the La. State Bar Association.
3. Make a technical change.