

Regular Session, 2009

SENATE BILL NO. 80

BY SENATOR CHEEK

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

MEDICAID. Requires the same coverage and reimbursement for Medicaid reimbursement to unique providers of health service for catastrophically ill children being treated in facilities out of state as provided to facilities in the state. (8/15/09)

1 AN ACT

2 To enact Part LXVI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to
3 be comprised of R.S. 40:1300.291 through 1300.293, relative to Medicaid
4 reimbursement; to provide for definitions; to provide for Medicaid reimbursement
5 for certain health services providers; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Part LXVI of Chapter 5 of Title 40 of the Louisiana Revised Statutes,
8 comprised of R.S. 40:1300.291 through 1300.293, is hereby enacted to read as follows:

9 **PART LXVI. HEALTH SERVICES FOR CATASTROPHICALLY ILL CHILDREN**

10 **§1300.291. Definitions**

11 **As used in this Part, the following terms shall have the following**
12 **meanings:**

13 **(1) "Unique provider of health services for catastrophically ill children"**
14 **means an institution designated by the National Cancer Institute as a**
15 **Comprehensive Cancer Center solely focused on pediatrics and is a children's**
16 **hospital dedicated to caring for children with catastrophic illness and**
17 **conducting basic and advanced research into catastrophic childhood diseases**

1 such as cancers, acquired and inherited immunodeficiencies, and genetic
2 disorders.

3 (2) "Pediatric" means children and youth eligible and certified for
4 Medicaid coverage, Louisiana Children's Health Insurance Program coverage,
5 or coverage under a Louisiana Medicaid waiver program or Louisiana
6 Medicaid managed care program.

7 §1300.292. Reimbursement

8 The secretary of the Department of Health and Hospitals shall provide
9 coverage and reimbursement to a unique provider of health services for
10 catastrophically ill children to the same extent that it would provide coverage
11 for services for those children furnished within the boundaries of the state and
12 shall insure that reimbursement to such institution shall be equal to the
13 reimbursement rate of in-state children's hospitals for pediatric care.

14 §1300.293. Rules and regulations

15 The Department of Health and Hospitals shall promulgate rules and
16 regulations, in accordance with the Administrative Procedure Act, and take
17 such other actions as are necessary to implement the provisions of this Part.

18 Section 2. This Act shall become effective on August 15, 2009; if vetoed by the
19 governor and subsequently approved by the legislature, this Act shall become effective on
20 August 15, 2009, or on the day following such approval by the legislature, whichever is
21 later.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Greg Waddell.

DIGEST

Proposed law defines "unique provider of health services for catastrophically ill children" and "Pediatric."

Proposed law provides that DHH shall provide coverage and reimbursement to a unique provider of health services for catastrophically ill children to the same extent that it would provide coverage for services furnished within the boundaries of the state and shall insure that reimbursement to such institution shall be equal to the reimbursement rate of in-state children's hospital for pediatric care.

Proposed law provides that DHH shall promulgate rules and regulations, in accordance with

the APA, and take such other actions as are necessary to implement the provisions of proposed law.

Effective August 15, 2009.

(Adds R.S. 40:1300.291 - 1300.293)