

Regular Session, 2012

HOUSE BILL NO. 296

BY REPRESENTATIVE LEGER

PUBLIC CONTRACTS: Provides relative to consulting services ancillary to data processing procurement

1 AN ACT

2 To amend and reenact R.S. 39:197(1) and 200(F), relative to data processing procurement;  
3 to provide for definitions; to provide for contract forms; and to provide for related  
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 39:197(1) and 200(F) are hereby amended and reenacted to read as  
7 follows:

8 §197. Definitions

9 For the purposes of this Part, the following words and phrases shall be  
10 defined as follows:

11 (1) "Related services" mean and are limited to service activities affecting the  
12 maintenance of data processing equipment or software and the providing of fiscal  
13 intermediary services in processing claims of health care providers. Notwithstanding  
14 any other provisions of law to the contrary, "related services" shall also mean those  
15 consulting services ancillary to the procurement of data processing hardware or  
16 software that would otherwise be governed by the provisions of professional,  
17 personal, consulting, and social services procurement in Chapter 16 of Title 39 of the  
18 Louisiana Revised Statutes of 1950, provided those consulting services are limited  
19 to the lesser of twenty percent of the procurement amount or two hundred fifty  
20 thousand dollars.

21 \* \* \*

1 §200. General provisions

2 The following general provisions shall apply to all procurements under this

3 Part:

4 \* \* \*

5 F. Contract form. No contracts entered into hereunder shall be on preprinted  
6 contract forms supplied by a vendor, unless otherwise approved by the director of  
7 state purchasing.

8 \* \* \*

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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)]

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Leger

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**Abstract:** Provides for changes to data processing procurement.

Present law provides for definitions related to data processing procurement including that "related services" are limited to service activities affecting the maintenance of data processing equipment or software and the providing of fiscal intermediary services in processing claims of health care providers.

Proposed law retains present law and adds that "related services" also mean those consulting services ancillary to the procurement of data processing hardware or software that would otherwise be governed by the provisions of professional, personal, consulting, and social services procurement in Chapter 16 of Title 39 of the La. Revised Statutes of 1950, provided those consulting services are limited to the lesser of 20% of the procurement amount or \$250,000.

Present law provides that in data processing procurement, no contract entered into is to be on preprinted contract forms supplied by a vendor.

Proposed law adds that such contracts may be entered into on preprinted forms if approved by the director of state purchasing.

(Amends R.S. 39:197(1) and 200(F))