

2016 Regular Session

ACT No. 467

HOUSE BILL NO. 1157 (Substitute for House Bill No. 761 by Representative Stokes)

BY REPRESENTATIVE STOKES

1 AN ACT

2 To amend and reenact R.S. 46:442 and to enact R.S. 46:437.4(A)(4), relative to review of
3 healthcare provider claims within the Medicaid program; to provide for
4 reimbursements issued by the Department of Health and Hospitals pursuant to
5 certain provider claims; to provide relative to recoupment of provider claim
6 payments; to authorize re-filing of claims in certain circumstances; and to provide
7 for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 46:442 is hereby amended and reenacted and R.S. 46:437.4(A)(4)
10 is hereby enacted to read as follows:

11 §437.4. Claims review and administrative sanctions

12 A.

13 * * *

14 (4) The administrative rules promulgated by the department to implement
15 the claim review process established pursuant to this Subsection shall provide for
16 procedures to ensure that providers receive or retain the appropriate reimbursement
17 amount for claims in which the department determines that services delivered have
18 been improperly billed but were reasonable and necessary.

19 * * *

20 §442. Medicaid provider claims; period for filing

21 A. In administering the Medicaid program of this state, the Department of
22 Health and Hospitals shall not limit the period within which a ~~health care~~ healthcare
23 provider may submit a claim for payment for a covered service rendered to a

1 Medicaid program enrollee to less than three hundred sixty-five days from the date
2 the service was provided.

3 B. In accordance with the applicable provisions of this Part and Part VI-A
4 of this Chapter, if a payment for a claim is recouped by the department, a contractor
5 of the department, or any other entity acting at the direction or under the authority
6 of the department due to a determination by the department more than three hundred
7 sixty-five days from the date the service was provided that the claim was improperly
8 billed but the services were reasonable and necessary, the department shall ensure
9 that the provider is afforded additional time to re-file a corrected claim for that
10 portion of the amount recouped to the extent permitted by federal law.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____