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**HOUSE COMMITTEE AMENDMENTS**

2026 Regular Session

Substitute for Original House Bill No. 946 by Representative Mandie Landry as proposed by the House Committee on Health and Welfare

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**This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.**

To enact R.S. 40:1173.2(5) through (17) and 1173.7 through 1173.10, relative to the Louisiana healthcare consumers' right to know; to provide for definitions; to require hospitals to provide transparency in the pricing of goods and services; to require publication of such information; to provide for compliance with federal pricing regulations; to authorize enforcement by the Louisiana Department of Health; to prohibit certain debt collection actions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1173.2(5) through (17) and 1173.7 through 1173.10 are hereby enacted to read as follows:

§1173.2. Definitions

As used in this Subpart, the following terms have the meaning ascribed to them in this Section:

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(5) "Collection action" means any of the following actions taken with respect to a debt for an item or service that was purchased from or provided to a patient by a hospital on a date during which the hospital was in violation of the Hospital Price Transparency Act:

(a) Attempting to collect a debt from a patient or patient guarantor by referring the debt, directly or indirectly, to a debt collector, a collection agency, or other third party retained by or on behalf of the hospital.

(b) Suing the patient or patient guarantor or enforcing an arbitration or mediation clause in a hospital document, including any contract, agreement, statement, or bill.

(c) Directly or indirectly causing a report to be made to a consumer reporting agency.

(6) "Collection agency" means a person that:

(a) Engages in a business for the principal purpose of collecting debts or does any of the following:

(b) Regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due to another.

(c) Takes assignment of debts for collection purposes.

(d) Directly or indirectly solicits for collection of debts owed or due or asserted to be owed or due to another.

(7) "Consumer reporting agency" means a person that, for a monetary fee or dues or on a cooperative nonprofit basis, regularly engages in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties. A consumer reporting agency does not include business entities that only provide check verification or check guarantee services.

(8) "Debt" means an obligation or alleged obligation of a consumer to pay money arising out of a transaction, whether or not the obligation has been reduced to judgment. Debt does not include a debt for business, investment, commercial, or agricultural purposes or a debt incurred by a business.

(9) "Debt collector" means a person employed or engaged by a collection agency to perform the collection of debts owed or due or debts asserted to be owed or due to another.

(10) "Department" means the Louisiana Department of Health.

(11) "Hospital" means any hospital as defined in R.S. 40:2102 and ambulatory surgical center as defined in R.S. 40:2133.

(12) "Hospital pricing transparency requirements" means regulations found in 45 CFR Part 180.

(13) "Machine-readable format" means a digital representation of information in a file that can be easily imported or read into a computer system for further processing without any additional preparation.

(14) "Material compliance" means substantial adherence to the hospital price transparency requirements of 45 CFR Part 180, as determined by the department in accordance with applicable enforcement guidance issued by the Centers for Medicare and Medicaid Services.

(15) "Shoppable service" means a service that may be scheduled by a person in advance.

(16) "Standard charge" has the same meaning as defined in 45 CFR Part 180 implementing 2718(e) of the federal Public Health Service Act.

(17) "Third-party payor" means an entity that is legally responsible for payment of a claim for a hospital item or service.

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§1173.7. Public availability of price information required

A. Each hospital in this state shall comply with the Federal Hospital Price Transparency requirements under Part 180 implementing 2718(e) of the federal Public Health Service Act, including but not limited to publishing all of the following information on the hospital's publicly accessible website:

(1) A digital file in a machine-readable format that contains standard charges displayed in dollar amounts for all hospital items or services.

(2) A consumer-friendly list that contains information of at least three hundred shoppable services provided by the hospital with charges displayed in dollar amounts specific to that individual hospital location.

B. A hospital shall, in lieu of maintaining and making publicly available the list of shoppable services otherwise required by Subsection A of this Section, maintain an internet-based price estimator tool that is deemed by the Centers for Medicare and Medicaid Services to meet the requirements under Section 2718(e) of the federal Public Health Service Act.

C. Unless stated otherwise, the information, format, and presentation of the information shall follow the Federal Price Transparency Regulations and any associated guidance from the Center for Medicare and Medicaid Services.

§1173.8. Enforcement

A. The department may, in its sole discretion and subject to available resources, conduct enforcement to ensure compliance with the provisions of R.S. 40:1173.7. Enforcement may include any of the following:

(1) The establishment of an electronic form for individuals to submit complaints for alleged violations of the hospital price transparency requirements pursuant to R.S. 40:1173.7.

(2) Monitoring the compliance of hospitals with the requirements of R.S. 40:1173.7 by doing all of the following:

(a) Evaluating complaints made by persons to the department regarding noncompliance with this Section.

(b) Reviewing any analysis prepared regarding noncompliance with this Section.

(c) Auditing the internet website of facilities for compliance with this Section.

(3) Any additional measures that the department deems reasonable and necessary aimed at improving compliance.

§1173.9. Collection of debt during noncompliance

A. A hospital that is not in material compliance with the hospital price transparency requirements of R.S. 40:1173.7 on the date that items or services are purchased from or provided to a patient by the hospital, and the noncompliance is related to those billed items or services, shall not initiate or pursue a collection action against the patient or patient guarantor for a debt owed for the items or services.

B. If the hospital initiates, or any agent, assignee, or successor-in-interest to the hospital's rights as a creditor initiates any collection action, then the hospital's failure to comply with the provisions of R.S. 40:1173.7 on the date that items or services were purchased by or provided to the patient shall constitute a complete

affirmative defense to any such collection action, and the patient or patient guarantor may file a declaratory judgment action based on the same.

C. If the hospital or any agent, assignee or successor-in-interest to the hospital's rights as a creditor initiates or files any lawsuit for collection of medical debt, and if the patient believes that the hospital was not in compliance with the provisions of R.S. 40:1173.7, then the patient or patient guarantor may file a counterclaim to determine if any of the following has occurred:

(1) The hospital was out of compliance with the provisions of R.S. 40:1173.7, rules, or regulations on the date the items or services were provided.

(2) The noncompliance is related to the items or services purchased from or provided to the patient by the hospital.

D. If, in a counterclaim contemplated by Subsection C, a judge or jury, considering compliance standards issued by the Centers for Medicare and Medicaid Services, the provisions of R.S. 40:1173.7, and any relevant adopted regulations or rules, finds a hospital to be out of compliance with the hospital price transparency laws, rules, or regulations, and the noncompliance is related to the items or services purchased from or provided to the patient by the hospitals, the hospital shall, at a minimum do all of the following:

(1) Refund the payer any amount of the debt the payer has paid.

(2) Dismiss or cause to be dismissed any court action with prejudice and pay any attorney fees and costs incurred by the patient or patient guarantor relating to the action.

(3) Remove or cause to be removed from the patient's or patient guarantor's credit report any report made to a consumer reporting agency relating to the debt.

E. Nothing in this Section shall be construed to mean any of the following:

(1) Prohibit a hospital from billing a patient, patient guarantor, or third-party payor, including a health insurer, for an item or service provided to a patient in a manner that is not in violation of the provisions of R.S. 40:1173.7.

(2) Require a hospital to refund a payment made to the hospital for an item or service provided to a patient if no collection action is taken in violation of the provisions of R.S. 40:1173.7.

§1173.10. Information required to be provided to patients

Prior to commencing a collection action, a hospital or a debt collector acting on behalf of a hospital shall provide a patient with all of the following:

(1) An easy-to-understand itemized statement of the medical debt owed by the patient to the hospital, including the applicable billing codes for each item or service, using commonly recognized billing code sets.

(2) A copy of the detailed receipts of any payments made to the hospital or debt collector by the patient or the patient's guarantor within thirty days of each payment.

(3) Information about the availability of language-assistance services for persons with limited proficiency in English.

(4) The contact information for an office or individual at the hospital that can do all of the following:

(a) Discuss the specific details of an itemized statement.

(b) Make appropriate changes to the statement.

Section 2. This Act shall be known as the "Hospital Price Transparency Act".

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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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HB Draft

2026 Regular Session

**Abstract:** Provides for the healthcare consumers' right to know, for penalties for noncompliance with federal requirements for healthcare cost transparency, and for definitions relevant to federal price transparency regulations.

Proposed law defines hospital pricing transparency requirements, collection, and department.

Proposed law creates penalties for healthcare providers that are not in material compliance with hospital transparency laws.

Proposed law provides patients with instructions of what to do if they receive services from

noncompliant healthcare providers whom take a collection action against the patient.

Proposed law provides that if a judge or jury finds a hospital to be materially noncompliant that the hospital is responsible for refunding the debt payer, paying court costs, and removing any report made to a consumer reporting agency relating to the debt.

(Adds R.S. 40:1173.2(5) through (17) and 1173.7-1173.10)