

CONFERENCE COMMITTEE REPORT
House Bill No. 406 By Representative Pearson

June 24, 2009

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 406 by Representative Pearson, recommend the following concerning the Reengrossed bill:

1. That the Senate Committee Amendments proposed by the Senate Committee on Insurance and adopted by the Senate on June 2, 2009, be adopted.
2. That the set of amendments proposed by the Legislative Bureau and adopted by the Senate on June 3, 2009, be adopted.
3. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete the remainder of the line and insert "R.S. 22:50 and 1023(A)(16) and"

AMENDMENT NO. 2

On page 1, line 2, after "(C)(6)" delete the comma "," and insert "and Part LXVI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.291 through 1300.293,"

AMENDMENT NO. 3

On page 1, line 8, after "circumstances;" insert "to require health insurance issuers to provide coverage and reimbursement to a unique provider of health services for catastrophically ill children; to provide for definitions relative to Medicaid reimbursement; to provide for Medicaid reimbursement for certain health services providers;"

AMENDMENT NO. 4

On page 1, at the beginning of line 12, delete "22:1023(A)(16)" and insert "22:50 and 1023(A)(16)"

AMENDMENT NO. 5

On page 1, between lines 13 and 14, insert the following:

"§50. Reimbursement to a unique provider of health services

Health insurance issuers shall provide coverage and reimbursement to a unique provider of health services for catastrophically ill children, as defined by R.S. 40:1300.291(A)(1), located outside the state of Louisiana in accordance with the terms and conditions of the policy of insurance between the insured and the insurer.

* * *

AMENDMENT NO. 6

On page 5, line 1, after "Subparagraph" change "(6)" to "(5)"

AMENDMENT NO. 7

On page 6, after line 14, insert the following:

Section 2. Part LXVI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1300.291 through 1300.293, is hereby enacted to read as follows:

"PART LXVI. HEALTH SERVICES FOR CATASTROPHICALLY ILL CHILDREN

§1300.291. Definitions

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

(1) "Unique provider of health services for catastrophically ill children" means an institution designated by the National Cancer Institute as a Comprehensive Cancer Center focused solely on pediatrics and that is a children's hospital dedicated to caring for children with catastrophic illness and conducting basic and advanced research into catastrophic childhood diseases such as cancers, acquired and inherited immunodeficiencies, and genetic disorders.

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

§1300.292. Reimbursement

A. The secretary of the Department of Health and Hospitals 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 for those children 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 hospitals for pediatric care. Such reimbursements shall be less than five hundred thousand dollars in total expenditures in any state fiscal year.

B. Implementation of the provisions of this Part shall be subject to the appropriation of funds by the legislature for this purpose.

§1300.293. Rules and regulations

The Department of Health and Hospitals shall promulgate rules and regulations, in accordance with the Administrative Procedure Act, and take such other actions as are necessary to implement the provisions of this Part. The Department of Health and Hospitals shall submit to and obtain approval from the Centers for Medicare and Medicaid Services of a Medicaid State Plan Amendment that contains a reimbursement methodology that restricts payments to the annual maximum established in this Part prior to implementation of the provisions of this Part."

Respectfully submitted,

Representative Chuck Kleckley

Senator Troy Hebert

Representative J. Kevin Pearson

Senator Dan "Blade" Morrish

Representative Franklin J. Foil

Senator Jean-Paul J. Morrell