
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Martha S. Hess.

DIGEST

Proposed law provides that notwithstanding any provision of law to the contrary, any public-private partnership, lease, cooperative endeavor agreement, memorandum of understanding, or other contractual agreement which would result in or is expected to result in a change or alteration in the management or operation of a health care institution, or the programs and facilities thereof, owned or operated as of 1/1/13 by either the LSUHSC-Shreveport or the LSUHSC-New Orleans, shall contain provisions which provides all of the following:

- (1) Continue the commitment to collaborate with and support rural physicians and rural hospitals in northeast or southern Louisiana by sponsoring continuing medical education, furnishing medical consultation to and with physicians, and rendering other support as may be appropriate.
- (2) Enhance the stability and competitiveness of Louisiana's academic and training programs so that Louisiana is positioned to attract the most talented faculty, students, residents and other medical professionals.
- (3) Optimize the medical training resources available in Louisiana and ensure that sufficient numbers of qualified healthcare professionals exist to address the current and future healthcare needs of Louisiana.
- (4) Continue the service of safety-net hospitals and their central role in providing healthcare services to the uninsured and high risk Medicaid populations.

Proposed law further provides that prior to the confection of any lease, cooperative endeavor agreement, public-private partnership, memorandum of understanding, or other contractual agreement which would result in or is expected to result in a change or alteration in the management or operation of a health care institution, or the programs and facilities thereof, owned or operated as of 1/1/13 by the LSUHSC-Shreveport or the LSUHSC-New Orleans, hereafter referred to as contract, such contract shall be reviewed and approved by the Joint Legislative Committee on the Budget, as provided in proposed law.

Proposed law requires such proposed contract to contain provisions which provides all of the following:

- (1) Continue the commitment of the health care institution, or the programs or facilities thereof, to collaborate with and support rural physicians and rural hospitals in Louisiana by sponsoring continuing medical education, furnishing medical consultation to and with physicians, and rendering other support as may be appropriate.

- (2) Enhance the stability and competitiveness of Louisiana's academic and training programs so that Louisiana is positioned to attract the most talented faculty, students, residents and other medical professionals.
- (3) Optimize the medical training resources available in Louisiana and ensure that sufficient numbers of qualified healthcare professionals exist to address the current and future healthcare needs of Louisiana.
- (4) Continue the service of safety-net hospitals and their central role in providing healthcare services to the uninsured and high risk Medicaid populations.

Proposed law further requires such proposed contract to contain a resolatory condition that such agreement shall not be effective unless it is approved by the Joint Legislative Committee on the Budget.

Proposed law provides that the proposed contract shall be submitted to the commissioner of administration, the Joint Legislative Committee on the Budget, and the Legislative Fiscal Office, a minimum of 16 working days prior to consideration by the Joint Legislative Committee on the Budget and that each submission shall include an analysis of the proposed transaction, including the estimated financial and economic impact of the transaction to the state and the local health care community, the expected duration of the agreement, and the obligations of the parties to the agreement.

Proposed law further provides that the parties to the contract shall annually report to the commissioner of administration at a time and in a form established by the commissioner by rule adopted pursuant to the Administrative Procedures Act all of the following:

- (1) Verification regarding all of the following:
 - (a) The collaboration with and support of rural physicians and rural hospitals in northeast or southern Louisiana by sponsoring continuing medical education, furnishing medical consultation to and with physicians, and rendering other support as may be appropriate.
 - (b) Enhancement of the stability and competitiveness of Louisiana's academic and training programs so that Louisiana is positioned to attract the most talented faculty, students, residents and other medical professionals.
 - (c) Optimization of the medical training resources available in Louisiana and ensuring that sufficient numbers of qualified healthcare professionals exist to address the current and future healthcare needs of Louisiana.
 - (d) Continue the service of safety-net hospitals and their central role in providing healthcare services to the uninsured and high risk Medicaid populations.

- (2) The amount of revenue, including but not limited to federal matching funds, by month and by year and as compared to all prior years of the agreement generated as a result of the contract.
- (3) The total expenditures for patient care by payor source, budgeted and actual expenditure of revenue thusly generated, including the costs of professional services, pharmacy, durable medical equipment and other costs for care to indigent and prisoner care patients.
- (4) Any and all changes in the agreement since the last report.

Proposed law provides that in adopting the rules and in reporting to the Joint Legislative Committee on the Budget, the commissioner of administration shall provide for the protection of propriety, confidential, and competitive information regarding any non-public party to a contract which is excepted by any provision of law, other than proposed law, from being public record or from public disclosure.

Proposed law requires that non-public persons participating in a contract, shall, as a condition of participation in the contract, maintain all of its books and records with respect to the receipt, use, or expenditure of the revenue generated as a result of the contract, as public documents and make them available for inspection and copying pursuant to the provisions of the public records law, R.S. 44:1 et seq.

Proposed law provides that it shall not be interpreted to require the disclosure of the names or other identifying personal information of individual donors who make contributions to nonprofit corporations which support public institutions of postsecondary education as provided in R.S. 17:3390 or the names or other identifying personal information of individual consumers of services or products which may form a portion of the revenue generated or expended. The receipt, use, or expenditure of such amounts may be recorded in the books and records and, if so recorded, shall be reported and be publicly available in globo.

Effective upon signature of the governor.

(Adds R.S. 17:1517.2 and 1519.19 and R.S. 39:366.12)