

2018 Regular Session

HOUSE BILL NO. 327

BY REPRESENTATIVE HOFFMANN

FEES/LICENSES/PERMITS: Provides relative to fees for state health laboratory services

1 AN ACT

2 To amend and reenact R.S. 40:29(A), (B)(introductory paragraph), and (D) and to repeal
3 R.S. 40:29(C), relative to state health laboratory services fees operated by the state
4 office of public health; to provide for a schedule of fees to be charged by such
5 laboratories; to provide a collection of such fees; to provide for exceptions; to
6 provide for an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. 40:29(A), (B)(introductory paragraph), and (D) are hereby amended and
9 reenacted to read as follows:

10 §29. State health laboratories; fee schedule

11 A. Except as provided in duly promulgated rules and regulations, each
12 laboratory operated by the office of public health of the Louisiana Department of
13 Health on a statewide, regional, or parish basis whether in connection with a parish
14 health unit or independently operated by the office as a state laboratory shall not
15 perform any test, procedure, function, or any operation unless the office charges and
16 receives payment of a fee for such test, procedure, function, or operation as is
17 required by the fee schedule provided for in this Section Subsection D of this
18 Section.

19 B. The fee schedule provided for in this Section Subsection D of this Section
20 shall not apply and no such fee shall be charged:

1 D. The Louisiana Department of Health ~~may~~ shall adopt rules and regulations in
 2 accordance with the Administrative Procedure Act to provide for the fee schedule and
 3 collection of fees required by ~~the fee schedule provided in Subsection A of this Section,~~
 4 provided a fee shall not exceed the prevailing market price for the item or the reimbursement
 5 rates for Medicaid, if applicable, whichever is lower. ~~The rules may also provide for~~
 6 ~~modification of the fee schedule, provided a fee shall not exceed the prevailing market price~~
 7 ~~for the item.~~

8 Section 2. R.S. 40:29(C) is hereby repealed in its entirety.

9 Section 3. The provisions of this Section and Sections 1 and 4 of this Act shall
 10 become effective upon signature by the governor or, if not signed by the governor, upon
 11 expiration of the time for bills to become law without signature by the governor, as provided
 12 by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and
 13 subsequently approved by the legislature, the provisions of this Section and Sections 1 and
 14 4 of this Act shall become effective on the day following such approval.

15 Section 4. The provisions of Section 2 of this Act shall become effective upon the
 16 date of the publication of the rules required by R.S. 40:29(D) as enacted by ~~under~~ Section
 17 1 of this Act.

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)]

HB 327 Original

2018 Regular Session

Hoffmann

Abstract: Allows the Louisiana Department of Health to establish rules and regulations for laboratory fees and collection.

Present law provides in statute a set laboratory fee schedule and form of collection. Proposed law allows for the La. Department of Health to establish rules and regulations in establishing the laboratory fee schedule and the form of collection.

Proposed law repeals present law laboratory fee schedule.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 40:29(A), (B)(intro. para.), and (D); Repeals R.S. 40:29(C))