SLS 22RS-154

ORIGINAL

2022 Regular Session

SENATE BILL NO. 37

BY SENATOR FESI

HEALTH CARE. Prohibits denial of healthcare services based on vaccination status. (8/1/22)

| 1 | AN ACT |
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| 2 | To amend and reenact R.S. 46:437.11(A) and to enact R.S. 37:23.5 and R.S. 40:2007.2, |
| 3 | relative to healthcare services; to prohibit the denial of healthcare services based |
| 4 | upon vaccination status; to provide for healthcare services rendered by healthcare |
| 5 | professionals and in healthcare facilities; to provide for healthcare services rendered |
| 6 | to Medicaid enrollees; and to provide for related matters. |
| 7 | Be it enacted by the Legislature of Louisiana: |
| 8 | Section 1. R.S. 37:23.5 is hereby enacted to read as follows: |
| 9 | §23.5. Denial of healthcare services based upon vaccination status prohibited |
| 10 | No healthcare provider licensed pursuant to this Title shall refuse to |
| 11 | provide any healthcare services to a patient on the basis of the patient's |
| 12 | vaccination history or because of the patient's refusal to receive a specific |
| 13 | vaccination or series of vaccinations or provide proof of immunity to a specific |
| 14 | disease. |
| 15 | Section 2. R.S. 40:2007.2 is hereby enacted to read as follows: |
| 16 | §2007.2. Denial of healthcare services based upon vaccination status prohibited |
| 17 | No healthcare provider licensed pursuant to this Title shall refuse to |
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Page 1 of 2 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

| 1 | admit or provide any healthcare services to a patient on the basis of the |
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| 2 | patient's vaccination history or because of the patient's refusal to receive a |
| 3 | specific vaccination or series of vaccinations or provide proof of immunity to a |
| 4 | specific disease. |
| 5 | Section 3. R.S. 46:437.11(A) is hereby amended and reenacted to read as follows: |
| 6 | §437.11. Provider agreements |
| 7 | A. The department shall make payments from medical assistance programs |
| 8 | funds for goods, services, or supplies rendered to recipients to any person who has |
| 9 | a provider agreement in effect with the department, who is complying with all |
| 10 | federal and state laws and rules pertaining to the medical assistance programs, and |
| 11 | who agrees that no person shall be subjected to discrimination under the medical |
| 12 | assistance programs because of race, creed, ethnic origin, sex, age, vaccination |
| 13 | history, or physical condition. |
| 14 | * * * |

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Brandi Cannon.

SB 37 Original

DIGEST 2022 Regular Session

Fesi

<u>Proposed law</u> provides that no licensed healthcare professional or healthcare facility shall refuse to provide any healthcare services to a patient on the basis of the patient's vaccination history or because of the patient's refusal to receive a specific vaccination or series of vaccinations or provide proof of immunity to a specific disease.

<u>Present law</u> provides that healthcare providers participating in Medicaid shall not discriminate against a patient based upon race, creed, ethnic origin, sex, age, or physical condition. <u>Proposed law</u> adds vaccination history.

Effective August 1, 2022.

(Amends R.S. 46:437.11(A); adds R.S. 37:23.5 and R.S. 40:2007.2)