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HOUSE FLOOR AMENDMENTS

2022 Regular Session

Amendments proposed by Representative Turner to Engrossed House Bill No. 314 by Representative Turner

1 AMENDMENT NO. 1

2 On page 1, at the end of line 5, change "(D), and (F)," to "and (D),"

3 AMENDMENT NO. 2

4 On page 1, at the end of line 6, insert "1012, 1015(A) and (C), 1016, 1017(A),"

5 AMENDMENT NO. 3

6 On page 2, at the end of line 3, change "R.S. 40:1024(B)," to "R.S. 40:1021(introductory
7 paragraph), 1024(B),"

8 AMENDMENT NO. 4

9 On page 2, line 7, after "1223.3," and before "2012.2," insert "1249.2(introductory
10 paragraph) and (5), 1249.3(A)(4),"

11 AMENDMENT NO. 5

12 On page 2, delete line 11 in its entirety and insert in lieu thereof the following:

13 "2180.25(B)(2)(introductory paragraph), (m)(introductory paragraph) and (v), and
14 (q), 2193.1(B)(5)(introductory paragraph), and 2321, R.S."

15 AMENDMENT NO. 6

16 On page 2, line 14, after "(B)(1)," and before "977," insert "460.3,"

17 AMENDMENT NO. 7

18 On page 2, line 15, after "2742(C)," delete the remainder of the line and insert in lieu thereof
19 "2757(C)(1)(introductory paragraph) and (e), 2761, and 2891, and Children's Code Articles
20 301 and"

21 AMENDMENT NO. 8

22 On page 2, line 16, after "repeal" delete the remainder of the line and insert in lieu thereof
23 the following:

24 "R.S. 37:796(F) and 2465(D), R.S. 40:5.5(F) and (G), 1249.1(A) and (B), and
25 1249.2(1), R.S. 46:2757(C)(2),"

26 AMENDMENT NO. 9

27 On page 2, at the beginning of line 17, delete "(B),"

1 AMENDMENT NO. 10

2 On page 6, line 3, delete "(D), and (F)," and insert in lieu thereof "and (D),"

3 AMENDMENT NO. 11

4 On page 6, line 4, after "1007(A)(2)(c)," and before "1176(A)(3)," insert "1012, 1015(A) and
5 (C), 1016, 1017(A),"

6 AMENDMENT NO. 12

7 On page 7, line 17, after "sale," and before "use," delete "or"

8 AMENDMENT NO. 13

9 On page 12, delete lines 18 through 21 in their entirety

10 AMENDMENT NO. 14

11 On page 15, between lines 3 and 4, insert the following:

12 "§1012. Definitions

13 As used in this Part, the following terms have the meaning ascribed in this
14 Section:

15 (1) "Approved school" means any school of nursing preparing registered
16 nurse applicants, approved by the board and including Charity Hospital School of
17 Nursing, which is approved by the Louisiana State Board of Nursing.

18 ~~A.~~ (2) "Board" means the Board of Regents.

19 ~~B.~~ (3) "Committee" means the committee of deans, directors, and department
20 heads of the approved schools and programs of nursing which prepare registered
21 nurse applicants and a nonvoting representative of the board.

22 ~~C.~~ "Approved school" means any school of nursing preparing registered
23 nurse applicants, approved by the board and including Charity Hospital School of
24 Nursing, which is approved by the Louisiana State Board of Nursing.

25 * * *

26 §1015. Procedure for applications

27 A. Faculty members requesting stipends for the purpose of acquiring a
28 master's or doctoral degree in nursing or a doctoral degree in a related field shall
29 submit to the committee an application including that includes all of the following:

30 (1) Notation of approval by the applicant's dean, director, or department head
31 of nursing and other required institutional permission;

32 (2) An authorized letter of acceptance from the institution which the
33 applicant plans to enter;

34 (3) The specific period of time for which the stipend is requested; ~~and;~~

35 (4) Other data and qualifications as deemed pertinent by the committee.

36 * * *

37 C. The university, college, or school budget administrator shall submit to the
38 board a list of faculty members from the institution who were granted stipends by the
39 committee. Upon request, each institution ~~will~~ shall be reimbursed on a monthly or
40 semester basis by the Board of Regents for authorized stipends paid.

1 §1016. Stipends

2 Each person granted a stipend in accordance with the provisions of this Part
3 shall receive seventy-five ~~percent~~ percent of his ~~or her~~ current contractual annual
4 salary for the period of approved stipend program participation. Stipends for the fall
5 and spring semester shall each be calculated on a four and one-half month basis.
6 Stipends granted for a quarter session shall be calculated on a three-month basis.
7 Summer stipends may be authorized at seventy-five ~~percent~~ percent of the salary of
8 the individual in accordance with institutional policy. Stipends shall be used
9 exclusively for study in Louisiana graduate programs approved by the board. A
10 stipend may, however, be granted for out-of-state study if the committee determines
11 that the necessary course of study is not available in the approved graduate programs
12 of this state or for such other valid reasons as may be determined by the committee.

13 §1017. Procedure and stipends for non-faculty applications

14 A. The committee may administer a program by which ~~they loan~~ it loans
15 each year to an applicant eligible pursuant to R.S. 37:1013(B) not more than
16 seventy-five percent of the lowest faculty salary being paid at the time of the
17 application to be forgiven in exchange for completing the degree and for serving on
18 the faculty for not less than three years more than the length of time taken to acquire
19 the degree.

20 * * *

21 AMENDMENT NO. 15

22 On page 38, line 2, delete "R.S. 40:1024(B)," and insert in lieu thereof "R.S.
23 40:1021(introductory paragraph), 1024(B),"

24 AMENDMENT NO. 16

25 On page 38, line 5, after "1223.3," and before "2012.2," insert "1249.2(introductory
26 paragraph) and (5), 1249.3(A)(4),"

27 AMENDMENT NO. 17

28 On page 38, line 8, after "and (ii)," delete the remainder of the line and insert in lieu thereof
29 the following:

30 "2180.25(B)(2)(introductory paragraph), (m)(introductory paragraph) and (v), and
31 (q), 2193.1(B)(5)(introductory paragraph), and 2321"

32 AMENDMENT NO. 18

33 On page 38, at the beginning of line 9, delete "2193.1(B)(5)(introductory paragraph)"

34 AMENDMENT NO. 19

35 On page 45, between lines 25 and 26, insert the following:

36 "§1021. Definitions

37 ~~A.~~ As used in this Part, unless the context clearly otherwise indicates, the
38 term "drug paraphernalia" ~~shall mean and include~~ means and includes, but is not be
39 limited to:

40 * * *

1 AMENDMENT NO. 20

2 On page 51, between lines 10 and 11, insert the following:

3 "§1249.2. Definitions

4 As used in this Part, the following terms have the meaning ascribed in this
5 Section:

6 * * *

7 (5) "Person with a developmental disability" means an individual of any age
8 who has a developmental disability as defined in ~~R.S. 28:451.2(12)~~ R.S. 28:451.2.

9 * * *

10 §1249.3. Medical assistance programs

11 A. The department shall adopt rules and regulations in accordance with the
12 Administrative Procedure Act with regards to the following:

13 * * *

14 (4) Developing and implementing a ~~budget neutral~~ budget-neutral pilot
15 program in selected areas of the state for an integrated, coordinated, prepaid delivery
16 model for long-term care services for the elderly and people with adult-onset
17 disabilities.

18 * * *"

19 AMENDMENT NO. 21

20 On page 56, line 2, delete the comma "," and after "limited to" and before the colon ":" insert
21 "the following"

22 AMENDMENT NO. 22

23 On page 56, line 5, after "individuals" and before "for" delete the comma ","

24 AMENDMENT NO. 23

25 On page 56, between lines 23 and 24, insert the following:

26 "§2321. Definitions

27 As used in this Chapter,
28 "~~Water~~ water pollution control projects" means any waste treatment facilities
29 or any plants or other works which accomplishes the treating, stabilizing, or holding
30 of untreated or inadequately treated sewage or other wastes."

31 AMENDMENT NO. 24

32 On page 56, line 26, after "(B)(1)," and before "977," insert "460.3,"

33 AMENDMENT NO. 25

34 On page 56, line 27, delete "and 2757(C)(1)(e)" and insert in lieu thereof
35 "2757(C)(1)(introductory paragraph) and (e), 2761, and 2891"

36 AMENDMENT NO. 26

37 On page 59, between lines 2 and 3, insert the following:

1 "§460.3. Adult basic education; literacy training; vocational educational training

2 To the extent allowed by federal law and notwithstanding any other state law,

3 rule, or regulation to the contrary, adult basic education and literacy training shall be

4 included in the definition of vocational educational training for purposes of

5 calculating work participation rates under the Temporary Assistance for Needy

6 Families programs. This law shall apply to any person receiving such education or

7 training, regardless of the person's age. ~~Any rule or regulation in conflict with this~~

8 ~~Section is hereby repealed.~~

9 * * **"

10 AMENDMENT NO. 27

11 On page 59, line 28, delete "real and personal" and insert "immovable"

12 AMENDMENT NO. 28

13 On page 62, line 2, after "develop" delete the remainder of the line

14 AMENDMENT NO. 29

15 On page 62, at the beginning of line 3, delete "March 1, 2004,"

16 AMENDMENT NO. 30

17 On page 62, between lines 16 and 17, insert the following:

18 "§2761. Uncompensated Care Hospital Payments

19 A.(1) The Louisiana Department of Health shall specify in the Medicaid

20 State Plan how uncompensated care is defined and calculated and shall determine

21 what facilities qualify for uncompensated care payments and the amount of the

22 payments. In determining payments as provided in this Subsection, the department

23 shall prioritize local access to care; and shall distribute uncompensated care

24 payments in proportion to the amount and type of uncompensated care reported by

25 all qualified facilities as required by rule and as allocated in appropriations to the

26 ~~Medical Vendor Payments Program~~ medical vendor payments program. The

27 secretary shall require, as a condition of payment of uncompensated care costs

28 provided ~~under~~ pursuant to this Subsection, that all state and non-state hospitals,

29 excluding rural hospitals included in the Rural Hospital Preservation Act and their

30 ~~provider based~~ provider-based rural health clinics, and other ~~health care~~ healthcare

31 facilities report to the department ~~patient specific~~ patient-specific Louisiana

32 Medicaid universal billing revenue code format data on the amount and type of

33 uncompensated care provided and all requested data on the amount and type of other

34 services and activities financed by uncompensated care payments. This data shall

35 be reported electronically by each hospital or other facility on a quarterly schedule

36 as required by the department. The secretary shall provide, after the close of each

37 quarter, a detailed summary of reported information to the governor and the

38 legislature. Hospitals defined ~~under~~ in the Rural Hospital Preservation Act shall

39 continue to report the data collected on the Louisiana Department of ~~Health'~~ Health

40 form "Schedule of Uncompensated Care Cost" in accordance with the state plan as

41 approved by the Centers for Medicare and Medicaid Services. The secretary of the

42 Louisiana Department of Health shall provide an annual report of the submitted

43 information and related payments to the governor and the legislature and shall make

44 such data available to the public on the ~~Louisiana Department of Health'~~

45 department's website. In addition, if a hospital or other ~~health care~~ healthcare facility

46 does not provide the required ~~patient specific~~ patient-specific data, the secretary of

47 the department may withhold an amount equal to five percent of Medicaid payments

48 due that provider. Such withholding shall increase by five percent for each

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 successive month that the required data is not received, but the total amount withheld
2 shall not exceed twenty-five percent of the total monthly amount due the facility.
3 Upon receipt of the required data, the department shall pay the facility all amounts
4 previously withheld as a result of the failure to submit the required data. A hospital
5 or other ~~health care~~ healthcare facility subject to withholding ~~under this provision~~
6 pursuant to this Paragraph may request an administrative review as provided by R.S.
7 46:437.4. The format of the data submission shall be defined as the current
8 mandated Louisiana Medicaid ~~Program~~ program format by the secretary of the
9 department.

10 (2) Nothing in this Subsection shall be construed to impede or preclude the
11 Louisiana Department of Health from implementing the provisions of the Rural
12 Hospital Preservation Act.

13 B. The secretary of the Louisiana Department of Health shall, subject to
14 approval from the Centers for Medicare and Medicaid Services, amend the ~~State~~
15 ~~Medicaid Plan~~ state Medicaid plan to provide for Medicaid disproportionate share
16 payments to hospitals operated by the LSU Health Sciences Center-New Orleans
17 under the provision of federal law that permits the reimbursement of uncompensated
18 cost up to one hundred ~~and~~ seventy-five percent of allowable cost. ~~In state fiscal~~
19 ~~years 2003-2004 and 2004-2005, Medicaid disproportionate share payments retained~~
20 ~~by the hospitals shall not exceed a cap as agreed upon by the division and the~~
21 ~~Louisiana Department of Health and as reflected in appropriations to the Medical~~
22 ~~Vendor Payments Program for each year.~~

23 * * *

24 §2891. Physician upper payment limit methodology

25 The Louisiana Department of Health is hereby authorized to develop
26 mechanisms to support the continued operation of state-funded ~~health care~~ healthcare
27 programs, specifically Medicaid, through the utilization of physician upper payment
28 limit reimbursement methodologies. ~~The~~ Any such methodology utilized shall be
29 designed to continue access and delivery of healthcare services to the poor. The
30 implementation of this methodology is shall be subject to federal law and approval
31 ~~of~~ by the Centers for Medicare and Medicaid Services. Participation in the
32 utilization of physician upper payment limit reimbursement methodologies shall be
33 limited exclusively to ~~only those~~ hospitals which certify public expenditures to the
34 state ~~of Louisiana.~~"

35 AMENDMENT NO. 31

36 On page 62, line 17, delete "Children's Code Article 1150(2)(b) is" and insert in lieu thereof
37 "Children's Code Articles 301 and 1150(2)(b) are"

38 AMENDMENT NO. 32

39 On page 62, between lines 18 and 19, insert the following:

40 "Art. 301. Definitions

41 As used in this Title:
42 "~~Nonmetropolitan nonmetropolitan~~ nonmetropolitan area" means a parish whose largest city
43 has a population of fifty thousand or less and where the population of the entire
44 parish is less than one hundred thousand.

45 * * *"

1 AMENDMENT NO. 33

2 On page 63, delete line 4 in its entirety and insert in lieu thereof the following:

3 "Section 7. R.S. 37:796(F) and 2465(D), R.S. 40:5.5(F) and (G), 1249.1(A) and (B),
4 and 1249.2(1), R.S. 46:2757(C)(2), and"

5 AMENDMENT NO. 34

6 On page 63, delete line 8 in its entirety and insert in lieu thereof the following:

7 "2833, R.S. 40:1061.9, 1105.1, 1105.9(D), 1251.4, 1269.2, 1300.32, 2010.1, 2010.7,
8 2017.12(B), 2120.2, and 2472, R.S. 46:1 and 1072, and Children's Code Articles
9 811.3 and 1351."

10 AMENDMENT NO. 35

11 On page 63, at the beginning of line 9, change "Section 9." to "Section 9.(A)"

12 AMENDMENT NO. 36

13 On page 63, line 11, after "1123.4" and before the comma "," insert "as amended by Section
14 4 of this Act"

15 AMENDMENT NO. 37

16 On page 63, after line 13, insert the following:

17 "(B) The Louisiana State Law Institute is hereby authorized and directed to
18 redesignate Chapter 60 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of
19 R.S. 46:2761 as amended by Section 5 of this Act, as Subpart A-1 of Part I of Chapter 5-E
20 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1242, and
21 is further directed to apply to the Subpart the heading "Uncompensated Care Hospital
22 Payments".

23 (C) The Louisiana State Law Institute is hereby authorized and directed to
24 redesignate Chapter 64 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of
25 R.S. 46:2891 as amended by Section 5 of this Act, as Subpart B-1 of Part I of Chapter 5-E
26 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1244.1, and
27 is further directed to apply to the Subpart the heading "Physician Upper Payment Limit
28 Methodology".