

2024 Regular Session

HOUSE BILL NO. 655

BY REPRESENTATIVE MILLER

MEDICAID: Provides relative to third-party liability requirements arising for prior authorizations and state claim inquiries

1 AN ACT

2 To enact R.S. 46:446.2 (E) and (F), relative to third-party liability for prior authorizations
3 and state claim inquires; to provide for third-party prior authorizations; to provide
4 for third-party claim processing; to provide for an effective date; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 46: 446.2 (E) and (F) are hereby enacted to read as follows:

8 §446.2. Third-party liability; acquisition of rights

9 * * *

10 E. A third party that requires prior authorization for an item or service
11 furnished to an individual eligible to receive medical assistance in accordance with
12 this Title shall accept authorization provided by the department that the item or
13 service is covered under the State Plan, or waiver of such plan, for such individual
14 as if the authorization were a prior authorization made by the third party for the item
15 or service.

16 F. A third party shall:

17 (1) Respond not later than sixty days after receiving any inquiry by the
18 department regarding a claim for payment for any healthcare item or service that is
19 submitted not later than three years after the date of the provision of the healthcare
20 item or service.

Proposed law states that a third party shall not deny a claim submitted by LDH solely on basis of the date of the claim, the format of the claim, or a failure to present proper documentation at the point-of-sale.

Proposed law states that a third party shall not deny a claim submitted by LDH on the basis that the department did not seek a prior authorization if the claim is submitted within three year beginning on the date the healthcare service was provided or service made on any action brought by LDH to enforce its rights within six years from the date that LDH submitted the claim.

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

(Adds R.S. 46:446.2 (E) and (F))