

ACT No. 1

Regular Session, 2010

HOUSE BILL NO. 1219

BY REPRESENTATIVE KLECKLEY

1 AN ACT

2 To enact R.S. 22:1016, relative to prepaid entities participating in the Louisiana Medicaid
3 Program; to provide for licensure, financial solvency, and regulation of such prepaid
4 entities; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 22:1016 is hereby enacted to read as follows:

7 §1016. Regulation by the Department of Insurance and the Department of Health
8 and Hospitals of prepaid entities participating in the Louisiana Medicaid
9 Program

10 A. Notwithstanding any law to the contrary, any prepaid entity that
11 participates in the Louisiana Medicaid Program is required to obtain an insurer
12 license or certificate of authority from the Louisiana Department of Insurance. Such
13 a prepaid entity participating in the Louisiana Medicaid Program shall be regulated
14 by the Louisiana Department of Insurance with respect to licensure and financial
15 solvency but shall, solely with respect to its products and services offered pursuant
16 to the Louisiana Medicaid Program, be regulated by the Louisiana Department of
17 Health and Hospitals, subject to 42 USCA §1396 et seq., and all applicable federal
18 and state laws, rules, and regulations relating to the Louisiana Medicaid Program.
19 The Louisiana Department of Health and Hospitals shall have the authority to adopt
20 and promulgate such rules and regulations, including certification, relating to the
21 Louisiana Medicaid Program. Except for licensure and financial solvency
22 requirements, no other provisions of this Title shall apply to a prepaid entity with
23 respect to the participation of the prepaid entity in the Louisiana Medicaid Program.

1 B. As used in this Section, "prepaid entity" shall mean any organization paid
 2 on a per-person per-month basis for the provision of services to Medicaid eligible
 3 beneficiaries, when such organization has entered into a contract with the
 4 Department of Health and Hospitals assuming the financial obligation to pay for such
 5 services.

6 Section 2. This Act shall become effective upon signature by the governor or, if not
 7 signed by the governor, upon expiration of the time for bills to become law without signature
 8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 9 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 10 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____