HLS 24RS-116 ORIGINAL

2024 Regular Session

HOUSE BILL NO. 198

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BY REPRESENTATIVE ECHOLS

WORKERS COMPENSATION: Provides for adoption of a medical fee reimbursement schedule for workers' compensation

AN ACT

2 To amend and reenact R.S. 23:1034.2(A) and (C)(1) and to repeal R.S. 23:1034.2(C)(2) and 3 (3), relative to workers' compensation; to provide for adoption of a medical 4 reimbursement schedule; to repeal the authority of the assistant secretary of the 5 office of workers compensation to collect certain information; to repeal the authority of the assistant secretary to calculate the reimbursement schedule; and to provide for 6 7 related matters. 8 Be it enacted by the Legislature of Louisiana: 9 Section 1. R.S. 23:1034.2(A) and (C)(1) are hereby amended and reenacted to read 10 as follows: 11 §1034.2. Reimbursement schedule 12 The assistant secretary of the office of workers' compensation 13 administration shall establish and promulgate a reimbursement schedule for drugs, 14 supplies, hospital care and services, medical and surgical treatment, and any 15 nonmedical treatment recognized by the laws of this state as legal and due under the 16 Louisiana Workers' Compensation Act Law, R.S. 23:1020.1, et seq., and applicable 17 to any person or corporation who renders such care, services, or treatment or provides such drugs or supplies to any person covered by Chapter 10 of Title 23 of 18 19 the Louisiana Revised Statutes of 1950.

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

C.(1) The reimbursement schedule shall include charges limited to the mean
of the usual and customary charges for such care, services, treatment, drugs, and
supplies. Any necessary adjustments to the reimbursement schedule adopted and
established in accordance with the provisions of this Section may be made annually.
the amount that would be due under Medicare times a multiplier of one and one-half,
or the actual charge made for the service, whichever is less.

\* \* \*

Section 2. R.S. 23:1034.2(C)(2) and (3) are hereby repealed in their entirety.

## **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 198 Original

2024 Regular Session

**Echols** 

**Abstract:** Provides for the adoption of a medical fee reimbursement schedule for workers' compensation claims.

<u>Present law</u> provides that the assistant secretary of the office of workers' compensation administration, (assistant secretary) shall establish and promulgate a reimbursement schedule for drugs, supplies, and certain care, services, and treatments that are lawfully recognized in this state and which are applicable to any person or corporation who renders these drugs, supplies, care, services, or treatments.

## Proposed law retains present law.

<u>Present law</u> provides that the reimbursement schedule shall include charges limited to the mean of the usual and customary charges for such care, services, treatment, drugs, and supplies. <u>Present law</u> further provides that any necessary adjustments to the reimbursement schedule may be made annually.

<u>Proposed law</u> repeals <u>present law</u> and instead clarifies that the reimbursement schedule shall include charges limited to the amount that would be due under Medicare times a multiplier of one and one-half, or the actual charge made for the service, whichever is less.

<u>Present law</u> provides that the assistant secretary shall have the authority to collect the information and data necessary to calculate the reimbursement schedule. <u>Present law</u> further provides the guidelines for collecting the required information and data.

## Proposed law repeals present law.

<u>Present law</u> requires that all the collected information be considered confidential and privileged and prohibits such information from being subject to public record and subpoena. <u>Present law</u> further requires the assistant secretary, all employees of the office of workers' compensation, and an academic institution to strictly maintain such confidentiality and exclusively use the collected information for the purpose of promulgating the workers' compensation reimbursement schedule.

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Proposed law repeals present law.

(Amends R.S. 23:1034.2(A) and (C)(1); Repeals R.S. 23:1034.2(C)(2) and (3))