LDI Louisiana Department of Insurance

NEWS RELEASE

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James J. Donelon
Commissioner of Insurance

FOR IMMEDIATE RELEASE

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Donelon Issues Emergency Rule 41 – Medical Surge-Related Patient Transfers in Louisiana During the Outbreak of COVID-19

Commissioner Jim Donelon issued Emergency Rule 41 to address the statewide public health emergency declared by Governor John Bel Edwards for the state of Louisiana as a result of the imminent threat posed to Louisiana citizens by COVID-19.

“Louisiana’s hospitals are on the front line of the fight against the COVID-19, and this order requires insurers to cover post-transfer stays in step-down facilities,” said Donelon. “These existing private health care facilities are being prepared to receive patients from acute care hospitals and increase the availability of beds for COVID-19 patients.”

This rule will ensure that these transfers can occur smoothly and without disrupting facility reimbursement. Patients will pay the same cost-sharing amount in the step-down facility that they would have paid had they remained in the acute care hospital.

Emergency Rule 41 in summary:

- Enumerates the type of health care facilities that are covered by this order.
- Ensures that these transfers can occur smoothly and without disrupting facility reimbursement.
- Patients will maintain the same cost-sharing amount in the step-down facility that they would have paid had they remained in the acute care hospital.
- Insurers are not obligated to make additional reimbursement at publicly funded facilities.
- Emergency Rule 41 provides limited waiver for parishes or municipalities whose acute care hospitals daily inpatient bed occupancy exceeds eighty-five percent (85%).

The full text of Emergency Rule 41 can be found here.

About the Louisiana Department of Insurance: *The Louisiana Department of Insurance works to improve competition in the state's insurance market while assisting individuals and businesses with the information and resources they need to be informed consumers of insurance. As a regulator, the LDI enforces the laws that provide a fair and stable marketplace and makes certain that insurers comply with the laws in place to protect policyholders. You can contact the LDI by calling 1-800-259-5300 or visiting www.ldi.la.gov.*