



**19<sup>TH</sup> JUDICIAL DISTRICT COURT  
PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA  
300 NORTH BLVD  
BATON ROUGE, LA 70801**

**20TH DAY OF MAY, 2019**

**TO: SUE BUSER  
BURGLASS & TANKERSLEY LLC  
5213 AIRLINE DR  
METAIRIE, LA 70001**

**JAMES J. DONELON, COMMISSIONER OF INSURANCE FOR THE STATE OF  
LOUISIANA VS LOUISIANA HEALTH COOPERATIVE, INC.**

**CASE NUMBER: C-641928**

**JUDGE: HON. RICHARD "CHIP" MOORE**

**DIVISION: 26**

**YOU ARE HEREBY NOTIFIED OF THE FOLLOWING ACTION FOR THE  
AFOREMENTIONED CASE: The Court attaches a copy of the Order signed May 20, 2019.**

*Kathy W. Spangler*

**JUDICIAL ASSISTANT TO  
HON. RICHARD "CHIP" MOORE**

**NOTIFIED:**

**MICHAEL CHARLES GUY  
SUE BUSER  
In-Proper-Person**

19TH JUDICIAL DISTRICT COURT FOR THE PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

NUMBER: 641 928

SECTION: 26

JAMES J. DONELON  
COMMISSIONER OF INSURANCE FOR THE STATE OF LOUISIANA

VERSUS

LOUISIANA HEALTH COOPERATIVE, INC.

FILED: \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CLERK

**MOTION TO APPROVE LAHC SETTLEMENTS WITH THE FIRST ROUND OF LAHC SETTLING PROVIDERS AND TO FILE SETTLEMENT DOCUMENTS UNDER SEAL**

**NOW INTO COURT**, through undersigned counsel comes James J. Donelon, Commissioner of Insurance for the State of Louisiana as Rehabilitator of Louisiana Health Cooperative, through the Commissioner's Court-approved Receiver, Billy Bostick ("LAHC"), who seeks an order of this Court approving the settlement of LAHC with the first round of LAHC providers who have agreed to and executed LAHC Settlement Documents with LAHC ("First Round LAHC Settling Providers") as legal and binding as to all outstanding claims for health care services pursuant to the Order of this Court on December 3, 2018 approving the LAHC Settlement Plan, which settlement is consistent with the documents previously approved by this Court for the LAHC Settlement Plan. LAHC further requests that a copy of the agreed upon settlements documents for the First Round LAHC Settling Providers with all agreed and executed documents be filed under seal due to the confidential claims and payment information contained therein, all as is more fully shown in the memorandum in support of this motion which is attached hereto and incorporated herein.

The LAHC Providers included in the First Round LAHC Settling Providers includes the eighty seven (87) LAHC providers (Round 1) representing a total of \$19,039,353.03 in total settlement amounts to be paid by LAHC, which represents about eighty (80%) percent of the total amount LAHC owes to LAHC providers, as follows:

- 1) Acadian Ambulance Services
- 2) Acadiana Gastroenterology
- 3) Accredo Health Group
- 4) ACS
- 5) Affiliated Therapy Services
- 6) Associates in Women's Health
- 7) Baton Rouge Cardiology Center
- 8) Baton Rouge Clinic
- 9) Baton Rouge General
- 10) Baton Rouge Louisiana Endoscopy

- 11) Bone & Joint Clinic of Baton Rouge
- 12) Brown Rogers Therapy
- 13) BRPT Lake Rehabilitation Center
- 14) C & M Medical Services
- 15) Cardiovascular Institute of the South
- 16) Central Stat
- 17) Christus Health
- 18) City of Baton Rouge
- 19) Clinical Pathology Labs
- 20) Diabetes Management Supplies
- 21) Drs. Schwartzburg, LaFrance and Guidry
- 22) Dutch Physical Therapy
- 23) East Jefferson General Hospital
- 24) E Plus Oncologics Louisiana
- 25) Eye Medical Center
- 26) First Option Home Infusion
- 27) FMOLHS (Franciscan Missionaries of Our Lady Health System, Inc.)
- 28) Fresenius Medical Care
- 29) Gastroenterology Associates
- 30) Hamilton Medical Group
- 31) Hardtner Medical Clinic (La. Hospital Service District #1, LaSalle Parish)
- 32) HCA Mid America
- 33) Heart Clinic of Hammond
- 34) Heart Hospital of Acadiana
- 35) HomeLink
- 36) Iberia Medical Center
- 37) Jackson Parish Hospital
- 38) Laboratory Corporation of America
- 39) Lafayette General MC
- 40) Lafayette Surgical Specialist Hospital
- 41) Lallie Kemp
- 42) Lane Regional Medical Center
- 43) LCMC Health
- 44) Lewy Physical Therapy
- 45) Louisiana Oncology Association
- 46) Louisiana Orthopaedic Specialists
- 47) Louisiana Sleep Foundation
- 48) Louisiana Womens Healthcare
- 49) LSU Healthcare Network
- 50) Mary Bird Perkins
- 51) Mercy Regional Medical Center
- 52) National Infusion Service
- 53) North Oaks
- 54) North Oaks OB GYN
- 55) Ochsner
- 56) Oncology Associates Monroe
- 57) Parish Anesthesia Group
- 58) Pathology Group of Louisiana
- 59) Paul Kramm, MD
- 60) Peak Performance Physical Therapy
- 61) Peter Bostick MD
- 62) PHC Morgan City, LP
- 63) Pointe Coupee General Hospital
- 64) Primary Care Physician for a Healthy
- 65) Professional ER Physician
- 66) Quest Diagnostics Dallas
- 67) Radiology Associates, LLC
- 68) Rapides Regional Medical Center
- 69) Riverside MC
- 70) Sage Rehabilitation Hospital
- 71) Schumacher Clinical Partners
- 72) South LA Medical Associates
- 73) St Tammany Parish Hospital
- 74) Surgical Specialty Center of BR

- 75) Teche Action Board
- 76) Terrebonne General Medical Center
- 77) The NeuroMedical Center
- 78) The NeuroMedical Center Rehab
- 79) Thibodaux Regional Medical Center
- 80) Townsend
- 81) Tulane (HCA)
- 82) Tulane University Medical Group
- 83) University Health Conway
- 84) University Health Shreveport
- 85) Vascular Clinic
- 86) West Feliciana Parish Hospital
- 87) Willis Knighton

See attached **Exhibit A**.

It should be noted that as per the order of this Court of December 3, 2018, LAHC payments can be made only based on available funds and based upon receipt of a waiver from the federal government (United States Department of Justice) of all federal claims for which a superpriority has been asserted.

LAHC requests that the Court authorize LAHC to begin making payments of the Agreed Upon Early Settlement Amounts to the First Round of LAHC Settling Providers once a federal release is obtained from the United States Department of Justice and sufficient LAHC funds are available for payment of all such amounts.

LAHC further requests that in order to reduce costs the Court permit notice of all communications with LAHC Settling Providers, including this motion and order, notices, payment advices and the likes, by electronic transmission (e-mail) where possible and by United States Mail only where electronic transmission (email) is not available.

WHEREFORE, mover prays for an order approving the settlement of LAHC and each of the First Round LAHC Settling Providers identified above as shown in the LAHC Settlement documents attached hereto and ordering that each of the LAHC Settlement documents for the First Round LAHC Settling Providers be filed with the Court under seal due to the confidential claims and payment information contained therein, that the Court authorize LAHC to begin making payments of the Agreed Upon Early Settlement Amounts to the First Round of LAHC Settling Providers once a federal release is obtained from the United States Department of Justice and sufficient LAHC funds are available for payment of all such amounts, and that the Court permit notice of all further communications with LAHC Settling Providers, including this motion and order, notices, payment advices, payment and the like, by electronic transmission

(e-mail) where possible and by United States Mail only where electronic transmission (email) is not available, and for all other appropriate relief.

Respectfully Submitted,

**BURGLASS & TANKERSLEY, LLC**

BY: 

SUE BUSER (#18151)

DENNIS J. PHAYER, ESQ. (#23747)

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Attorneys for **JAMES J. DONELON, Commissioner of Insurance for the State of Louisiana**  
**as Rehabilitator of Louisiana Health Cooperative, Inc. in Rehabilitation**

**CERTIFICATE OF SERVICE**

I hereby certify that I have not served a copy of the foregoing pleading on any counsel in these proceedings because there are no other parties in these proceedings and that a copy of this signed order approving this motion will be forwarded by electronic communication (email) where possible and/or by U.S. mail where not possible to send by email to each of the First Round LAHC Settling Providers shown above through its authorized representative upon receipt of same, this

\_\_\_ day of  2019.

  
\_\_\_\_\_

19TH JUDICIAL DISTRICT COURT FOR THE PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

NUMBER: 641 928

SECTION: 26

JAMES J. DONELON  
COMMISSIONER OF INSURANCE FOR THE STATE OF LOUISIANA  
VERSUS  
LOUISIANA HEALTH COOPERATIVE, INC.

FILED: \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CLERK

**ORDER**

The Court considering the Motion To Approve LAHC Settlements with the First Round of LAHC Settling Providers and To File Settlement Documents Under Seal, and finding that mover is entitled to the relief granted,

**IT IS HEREBY ORDERED** that the Motion To Approve LAHC Settlements with the First Round of LAHC Settling Providers and To File Settlement Documents Under Seal be and hereby is GRANTED and that the LAHC Settlements reached between Louisiana Health Cooperative, Inc. in Rehabilitation ("LAHC") and the following eighty seven (87) entities (Round 1), be and hereby are approved and made legal and binding as to the outstanding claims for health care services of each listed entity as per the terms of each LAHC settlement documents with the eighty seven (87) LAHC Settling Providers identified, which are filed herewith under seal:

- 1) Acadian Ambulance Services
- 2) Acadiana Gastroenterology
- 3) Accredo Health Group
- 4) ACS
- 5) Affiliated Therapy Services
- 6) Associates in Women's Health
- 7) Baton Rouge Cardiology Center
- 8) Baton Rouge Clinic
- 9) Baton Rouge General
- 10) Baton Rouge Louisiana Endoscopy
- 11) Bone & Joint Clinic of Baton Rouge
- 12) Brown Rogers Therapy
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- 26) First Option Home Infusion
- 27) FMOLHS (Franciscan Missionaries of Our Lady Health System, Inc.)

- 28) Fresenius Medical Care
- 29) Gastroenterology Associates
- 30) Hamilton Medical Group
- 31) Hardtner Medical Clinic (La. Hospital Service District #1, LaSalle Parish)
- 32) HCA Mid America
- 33) Heart Clinic of Hammond
- 34) Heart Hospital of Acadiana
- 35) HomeLink
- 36) Iberia Medical Center
- 37) Jackson Parish Hospital
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- 39) Lafayette General MC
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- 41) Lallie Kemp
- 42) Lane Regional Medical Center
- 43) LCMC Health
- 44) Lewy Physical Therapy
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- 46) Louisiana Orthopaedic Specialists
- 47) Louisiana Sleep Foundation
- 48) Louisiana Womens Healthcare
- 49) LSU Healthcare Network
- 50) Mary Bird Perkins
- 51) Mercy Regional Medical Center
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- 53) North Oaks
- 54) North Oaks OB GYN
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- 56) Oncology Associates Monroe
- 57) Parish Anesthesia Group
- 58) Pathology Group of Louisiana
- 59) Paul Kramm, MD
- 60) Peak Performance Physical Therapy
- 61) Peter Bostick MD
- 62) PHC Morgan City, LP
- 63) Pointe Coupee General Hospital
- 64) Primary Care Physician for a Healthy
- 65) Professional ER Physician
- 66) Quest Diagnostics Dallas
- 67) Radiology Associates, LLC
- 68) Rapides Regional Medical Center
- 69) Riverside MC
- 70) Sage Rehabilitation Hospital
- 71) Schumacher Clinical Partners
- 72) South LA Medical Associates
- 73) St Tammany Parish Hospital
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- 78) The NeuroMedical Center Rehab
- 79) Thibodaux Regional Medical Center
- 80) Townsend
- 81) Tulane (HCA)
- 82) Tulane University Medical Group
- 83) University Health Conway
- 84) University Health Shreveport
- 85) Vascular Clinic
- 86) West Feliciana Parish Hospital
- 87) Willis Knighton

See attached **Exhibit A.**

IT IS FURTHER ORDERED that LAHC be and hereby is authorized to begin making payments of the Agreed Upon Early Settlement Amounts to the First Round of LAHC Settling Providers identified above once a federal release is obtained from the United States Department of Justice and sufficient LAHC funds are available to pay all such amounts.

IT IS FURTHER ORDERED that LAHC be and hereby is permitted to provide notice of all further communications with LAHC Settling Providers, including this motion and order, notices, payment advices, payment, and the like, by electronic transmission (e-mail) where possible and by United States Mail only where electronic transmission (email) is not available.

IT IS FURTHER ORDERED that each of the eighty seven (87) executed LAHC Settlement Agreements for the Round 1 LAHC Settling Providers and any and all attachments thereto are to be filed under seal as **Exhibit B** pursuant to this order.

Baton Rouge, Louisiana, this 20 day of May, 2019.

  
\_\_\_\_\_  
DISTRICT COURT JUDGE RICHARD "CHIP" MOORE, III

I HEREBY CERTIFY THAT ON THIS DAY A COPY OF  
THE WRITTEN REASONS FOR JUDGMENT /  
JUDGMENT / ORDER / COMMISSIONER'S  
RECOMMENDATION WAS MAILED BY ME WITH  
SUFFICIENT POSTAGE AFFIXED.  
SEE ATTACHED LETTER FOR LIST OF RECIPIENTS.

DONE AND MAILED ON May 20, 2019

  
\_\_\_\_\_  
DEPUTY CLERK OF COURT