



State of Louisiana
Louisiana Department of Health
Bureau of Legal Services

VIA E-MAIL ONLY

October 21, 2016

Ms. Alesia Wilkins-Braxton
Louisiana Healthcare Connections
8585 Archives Ave., Ste. 310
Baton Rouge, LA 70809

RE: Wells Non-Compliance – LHC Quarter 3 Behavioral Health Service Denials

Dear Ms. Wilkins-Braxton:

Issues regarding Louisiana Healthcare Connections non-compliance with the Wells Stipulation have been brought to LDH's attention by the Advocacy Center and all require immediate action. The Wells Stipulation require adequate notices of adverse action be sent to Medicaid recipients for requested prior authorized services. The notices of denial that violate these stipulations were included in the Quarter 3 sampling. Some of the Quarter 3 violations are as follows:

1. Failure to describe the reasons for denial or partial denial in plain language and in sufficient detail to inform the recipient and his or her physician of any further information needed to support the request.
2. Failure to explain the application of the criteria to the individual's case. See paragraph 11(A)(2)-(4) and 11(B) of the stipulation.
3. Including as a reason "The clinical information given does not support the need for these services or the amount of units requested," without giving a reason for the conclusion. See paragraph 11(C) of the stipulation.
4. Failure to describe the services in terms commonly used by laypersons to describe the service. Services are identified as "H0036-Community Support Treatment" and "H2017 Rehabilitation Services." These descriptions do not describe the services plainly enough for the recipients to know what was requested, and what was denied. This is not simply because they include codes, but also because they do not describe "Community Support Treatment" and "Rehabilitation Services" in intelligible terms. Further, the notices refer to numbers of "units" of these services, rather than numbers of hours of services a week requested, approved, and denied. See paragraph 11(F) of the stipulation.

5. Font in notices are not 12-point type. See paragraph II(H) of the stipulation.

LDH provided feedback regarding the Quarter 3 sampled notices and requests that LHC address those issues in the remediation plan due October 31, 2016.

In addition, there were six notices for other individuals whose behavioral health services were recently reduced or denied. These notices were not sampled by LDH but were found to be non-compliant by the Advocacy Center.

Under Wells, LHC cannot deny services without a valid termination notice, so these services were never effectively and appropriately terminated. **Therefore, because no Wells-compliant notice of termination was sent, LDH is requiring LHC to reissue compliant denial notices for all quarter three sampled notices denoted non-compliant by LDH as well as the six non-sampled notices and reinstate services at the level approved prior to the denial or reduction of services for all.** A list of the sampled and non-sampled notices requiring action will be uploaded to your inbox on FTP to aid in expediting remediation.

LHC must provide a written response by October 25, 2016, confirming that services have been reinstated for the individuals whose notices were determined to be non-compliant as described above.

Should you have questions, please contact LaLauni Williams at (225) 342-6419 or LaLauni.Williams@LA.gov.

Sincerely,



Kimberly Sullivan
LDH Deputy General Counsel
KS/lw

cc: Diane Batts
Rebecca Clement
Stacy Guidry
Krystal Kaufman
Dawn Love
Darrell Montgomery
Lou Ann Owen
Ryan Romero
LaLauni Williams