

# Louisiana Medicaid Managed Care Organization (MCO) Manual

## DRAFT

For MCO RFP 3.0 Procurement Library

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# PART 1: INTRODUCTION

## OVERVIEW

The **Managed Care Organization (MCO) Manual** is a compilation of policies, instructions, and guidelines established by the Louisiana Department of Health (LDH) for the administration of the Louisiana Medicaid managed care program. The purpose of this Manual is to provide clarifying information and operational guidelines to support the MCO in complying with the terms of its contract with LDH (hereinafter, the “Contract”). This Manual is intended to accompany the Contract rather than be a standalone and exhaustive compilation of contractual requirements.

This Manual applies to MCOs contracted by LDH to provide coverage for services to Louisiana Medicaid managed care program enrollees, effective July 1, 2022. This Manual also applies to major subcontractors with delegated responsibilities for the provision of all, or part, of any program area or function that relates to the delivery or reimbursement of covered services, including, but not limited to, behavioral health, claims processing, care management, utilization management, transportation, or pharmacy benefits, including specialty pharmacy providers.

The MCO is solely responsible for complying with the requirements set forth within this Manual and in the Contract whether or not subcontractors are used. In addition, the MCO is responsible for ensuring compliance by its subcontractors. In the event of a perceived discrepancy between the Contract and this Manual, the MCO shall seek clarification from LDH prior to taking action.

## REVISIONS

This Manual may be revised at the discretion of LDH due to a variety of reasons, including, but not limited to, changes to any provisions of state and federal laws, regulations, rules, the Louisiana Medicaid State Plan, and waivers applicable to managed care, contract amendments, internal operational changes, and requests for written guidance in a particular area.

In accordance with Louisiana Revised Statutes La. R.S. 46:460.54, prior to adopting, approving, amending, or implementing certain policies or procedures<sup>1</sup> contained in the Manual, LDH will publish the proposed policy or procedure on the LDH website for a period of no less than 45 calendar days for the purpose of soliciting public comments. The public comment period will not apply if LDH finds that an imminent peril<sup>2</sup> to the public health,

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<sup>1</sup> Per La. R.S. 46:460.51, “Policy or procedure” shall mean a requirement governing the administration of managed care organizations specific to billing guidelines, medical management and utilization review guidelines, case management guidelines, claims processing guidelines and edits, grievance and appeals procedures and process, other guidelines or manuals containing pertinent information related to operations and pre-processing claims, and core benefits and services.

<sup>2</sup> Imminent peril is defined as sudden, urgent and critical situations that call for aid to the public health, safety, or welfare that require immediate approval of a proposed policy or procedure or manual revision without otherwise publishing the proposed policy or procedure or revision as required by standard timelines required under La. R.S. 46:460.53 and 46:460.54.

safety, or welfare requires immediate adoption of the proposed policy or procedure. The public comment period also will not apply for non-material<sup>3</sup> revisions.

Once approved by LDH, the revised Manual will be posted on the LDH website. The MCO may subscribe via e-mail to [healthy@la.gov](mailto:healthy@la.gov) to be notified of updates. The MCO is responsible for notifying subcontractors and executing necessary subcontract amendments when revisions are made to the Manual.

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<sup>3</sup> Non-material revisions are defined as typographical, grammatical, formatting, or stylistic edits only, including but not limited to word changes that do not impact or affect overall content. Non-material changes have no programmatic or monetary impact on providers.

## PART 2: ADMINISTRATION & CONTRACT MANAGEMENT

The MCO's business administration, organization, and oversight of all contracted responsibilities is critical to achieving LDH's goal of building a Medicaid managed care delivery system that improves the health of populations, enhances the experience of care for individuals, and effectively manages Medicaid per capita care costs.

### HEALTH PLAN ADVISORIES

LDH may issue health plan advisories (HPAs) when there is a need to communicate immediate guidance—particularly in temporary or emergency situations (e.g., pandemics, natural disasters). The MCO must comply with all directives contained within HPAs.

MCOs and subcontractors can access HPAs on the LDH website [\[link\]](#).

### BUSINESS OWNERS

LDH maintains an LDH business owner listing, which is provided to the MCOs on a monthly basis via e-mail. MCOs should distribute this listing to its staff and use it to identify the appropriate LDH contact for questions or concerns about a specific business area or report.

LDH also maintains an MCO business owner listing, which is provided to LDH staff. MCOs should provide updated contact information upon request by LDH.

### STAFFING

In addition to the key personnel requirements of the Contract, the MCO shall have these additional staff.

- ❖ Program Integrity Officer shall be qualified by training and experience in health care or risk management, to oversee monitoring and enforcement of the fraud, waste, and abuse compliance program to prevent and detect potential fraud, waste, and abuse activities pursuant to state and federal rules and regulations, and carry out the provisions of the compliance plan, including fraud, waste, and abuse policies and procedures, investigating unusual incidents and implementing any corrective action plans. As a management official, this position shall have the authority to assess records and independently refer suspected enrollee fraud, provider fraud, and enrollee abuse cases to LDH and other duly authorized enforcement agencies. The Program Integrity Officer must report directly to the CEO and be located in Louisiana.
- ❖ Grievance System Manager shall manage and adjudicate enrollee and provider disputes arising under the Grievance System including enrollee grievances, appeals and requests for hearing and provider complaints and disputes. The Grievance System Manager shall be located in Louisiana.
- ❖ Business Continuity Planning and Emergency Coordinator shall manage and oversee the MCO's emergency management plan during disasters and ensure continuity of covered services for enrollees who may need to be evacuated to other areas of the state or out-of-state.

- ❖ Information Technology Director shall be trained and experienced in information systems, data processing and data reporting and shall be responsible for oversight of all MCO information systems functions including, but not limited to, establishing and maintaining connectivity with LDH.
- ❖ Provider Claims Educator must be a full-time (40 hours per week) employee located in Louisiana. This position is fully integrated with the MCO's complaint, claims processing, and provider relations systems and facilitates the exchange of information between these systems and providers, with a minimum of five years management and supervisory experience in the healthcare field. The primary functions of the Provider Claims Educator include:
  - Educating in-network and out-of-network providers regarding appropriate claims submission requirements, coding updates, electronic claims transactions and electronic fund transfer, and available MCO resources, such as provider manuals, websites, fee schedules, etc.;
  - Interfacing with the MCO's provider call center to compile, analyze, and disseminate information from provider calls;
  - Identifying trends and guiding the development and implementation of strategies to improve provider satisfaction; and
  - Frequently communicating (i.e., telephonic and on-site) with providers to ensure the effective exchange of information and to gain feedback regarding the extent to which providers are informed about appropriate claims submission practices.
- ❖ Encounter Data Quality Coordinator shall organize and coordinate services and communication between MCO administration and LDH for the purpose of identifying, resolving, and monitoring encounter and data validation/management issues. The Coordinator as the MCO's encounter expert to answer questions, provide recommendations, and participate in problem solving and decision-making related to encounter data, submissions, and processing. The Coordinator analyzes activities related to the processing of encounter data and data validation studies to enhance accuracy and throughout. This position shall be located in Louisiana.
- ❖ Quality Management (QM) Coordinator shall be a full-time, Louisiana-licensed registered nurse, advanced practice registered nurse, physician, or physician's assistant, or a Certified Professional in Health Care Quality (CPHQ) by the National Association for Health Care Quality (NAHQ) and/or Certified in Health Care Quality and Management (CHCQM) by the American Board of Quality Assurance and Utilization Review Providers. Six Sigma or other training in quality management is preferred. The QM Coordinator must be located in Louisiana and have experience in quality management and quality improvement as described in 42 C.F.R. §§438.200 – 438.242. The primary functions, including those targeting specialized behavioral health services, of the QM Coordinator position include:
  - Ensuring individual and systemic quality of care;
  - Integrating quality throughout the organization;
  - Implementing process improvement;
  - Resolving, tracking and trending quality of care grievances; and,
  - Ensuring a credentialed provider network.
- ❖ Performance/Quality Improvement Coordinator shall be a certified professional in healthcare quality (CPHQ) or certified in health care quality and management (CHCQM) or comparable education and experience in data and outcomes measurement as described in 42 C.F.R. §§438.200–438.242. The primary functions of the Performance/Quality Improvement Coordinator, including those targeting specialized behavioral health services, include:
  - Focusing organizational efforts on improving clinical quality performance measures;

- Developing and implementing performance improvement projects;
  - Utilizing data to develop intervention strategies to improve outcome; and,
  - Reporting quality improvement/performance outcomes.
- ❖ Maternal Child Health/EPSTD Coordinator shall be a Louisiana licensed registered nurse, advanced practice registered nurse, physician, or physician's assistant; or has a Master's degree in health services, public health, or healthcare administration or other related field and/or a CPHQ or CHCQM. This position shall be located in Louisiana. Staffing under this position should be sufficient to meet quality and performance measure goals. The primary functions of the MCH/EPSTD Coordinator include:
- Ensuring delivery of EPSTD services;
  - Ensuring delivery of maternal and postpartum care;
  - Promoting family planning services;
  - Promoting preventive health strategies;
  - Identifying and coordinating assistance for identified enrollee needs specific to maternal/child health and EPSTD;
  - Interfacing with community partners; and
  - Interfacing with the Office of Public Health-Bureau of Family Health and other child-serving state health agencies to coordinate resource and information sharing around provision of EPSTD services.
- ❖ Medical Management Coordinator shall be a Louisiana-licensed registered nurse, advanced practice registered nurse, physician or physician's assistant if required to make medical necessity determinations; or have a Master's degree in health services, healthcare administration, or business administration, if not required to make medical necessity determinations, to manage all required Medicaid management requirements under LDH policies, rules and the contract. This position shall be located in Louisiana. The primary functions of the Medical Management Coordinator include:
- Ensuring adoption and consistent application of appropriate inpatient and outpatient medical necessity criteria;
  - Ensuring that appropriate concurrent review and discharge planning of inpatient stays is conducted;
  - Developing, implementing and monitoring the provision of care coordination, disease management and case management functions;
  - Monitoring, analyzing and implementing appropriate interventions based on utilization data, including identifying and correcting over- or under- utilization of services; and,
  - Monitoring prior authorization functions and assuring that decisions are made in a consistent manner based on clinical criteria and meet timeliness standards.
- ❖ Case Management Administrator/Manager shall oversee the case management functions and shall have the qualifications of a case manager with a minimum of five years of management/supervisory experience in the healthcare field.
- ❖ Provider Services Manager shall coordinate communications between the MCO and its network providers. This position shall be located in Louisiana.
- ❖ Enrollee Services Manager shall coordinate communications between the MCO and its enrollees. This position shall be located in Louisiana. There shall be sufficient Enrollee Services staff to enable enrollees to receive prompt resolution of their problems or inquiries and appropriate education about participation in the MCO program.

- ❖ Behavioral Health Coordinator shall meet the requirements for a licensed mental health professional (LMHP) and have at least seven years' experience in managing behavioral healthcare operations. The Behavioral Health Coordinator shall have responsibility for clinical program development and oversight of staff and services related to the delivery of covered mental health and addiction services to children/youth, adults with serious mental illness and/or with substance use disorders in compliance with federal and state laws and the requirements set forth in the Contract, including all documents incorporated by reference. The Behavioral Health Coordinator will share responsibility to manage the specialized behavioral health services delivery system with the Behavioral Health Medical Director. The Behavioral Health Coordinator shall regularly review integration performance, network adequacy, performance improvement projects, and surveys related to integration and shall work closely with the Performance/Quality Improvement Coordinator, Behavioral Health Network Director, Quality Management Coordinator, and Behavioral Health Quality Management Coordinator. This position shall be based in Louisiana.
- ❖ Behavioral Health Children's System Administrator must meet the requirements for a LMHP and have at least seven years' experience and expertise in the specialized behavioral health needs of children with severe behavioral health challenges and their families. Prior experience working with other child serving systems is preferred. The ideal candidate will have at least three years' experience with delivering or managing Evidenced Based Practices (EBPs) and best practices for children and youth, including experience within system of care and wraparound environments. The Children's BH System Administrator shall work closely with LDH and the CSoc Governance Board, as needed. This position shall be based in Louisiana.
- ❖ Addictionologist or Addiction Services Manager (ASM) shall meet the requirements of a licensed addiction counselor (LAC) or LMHP with at least seven years of clinical experience with addiction treatment of adults and children experiencing substance use problems and disorders. The ASM shall be responsible for oversight and compliance with the addiction principles of care and application of American Society of Addiction Medicine (ASAM) placement criteria for all addiction program development. The ASM will work closely with the COO, the Behavioral Health Coordinator, the Quality Management Coordinator, and the Behavioral Health Medical Director in assuring quality, appropriate utilization management, and adequacy of the addiction provider network. This position shall be located in Louisiana.
- ❖ Behavioral Health Case Management Supervisor for specialized behavioral health services shall be a Louisiana-licensed psychiatrist or a Louisiana-licensed Mental Health Practitioner (i.e., Medical Psychologist, Licensed Psychologist, Licensed Clinical Social Worker, Licensed Professional Counselor, Licensed Marital and Family Therapist, Licensed Addictions Counselor, or Advanced Practice Registered Nurse, who is a nurse practitioner specialist in Adult Psychiatric and Mental Health, family Psychiatric and Mental Health, or a Certified Nurse Specialist in Psychosocial, Gerontological Psychiatric Mental Health, Adult Psychiatric and Mental Health, and Child-Adolescent Mental Health). A Case Management Supervisor for medical services is a Louisiana-licensed registered nurse. The Case Management Supervisor shall be responsible for all staff and activities related to the case management program, and shall be responsible for ensuring the functioning of case management activities across the continuum of care. This position shall be located in Louisiana.
- ❖ Claims Administrator shall be responsible for the administration of a comprehensive claims processing system capable of paying claims in accordance with state and federal requirements. The primary functions of the Claims Administrator are:

- Ensuring adoption and consistent application of appropriate inpatient and outpatient medical necessity criteria;
  - Ensuring that appropriate concurrent review and discharge planning of inpatient stays is conducted;
  - Developing, implementing and monitoring the provision of care coordination, disease management and case management functions;
  - Monitoring, analyzing and implementing appropriate interventions based on utilization data, including identifying and correcting over or under utilization of services; and,
  - Monitoring prior authorization functions and assuring that decisions are made in a consistent manner based on clinical criteria and meet timeliness standards.
- ❖ Housing Specialist shall be responsible for ensuring that enrollees transitioning from facility to community are connected to appropriate housing resources, including, but not limited to, referral of potential enrollees to the MCO's Permanent Supportive Housing liaison for application to the Louisiana Permanent Supportive Housing program. The Housing Specialist shall also serve on the multi-disciplinary care team.
    - Prior Authorization Staff to authorize health care 24 hours per day, 7 days per week. This staff shall include a Louisiana licensed registered nurse, advanced practice registered nurse, physician or physician's assistant. The staff will work under the direction of a Louisiana-licensed registered nurse, advanced practice registered nurse, physician or physician's assistant.
  - ❖ The MCO shall have a sufficient number of LMHPs, including licensed addiction counselors (LACs), as well as a board-certified psychiatrist and a board-certified addictionologist. If an addictionologist cannot be retained full-time due to limited availability, the MCO shall contract with a qualified consultant. With the exception of the addictionologist who shall be available at least 10 hours per week, the other LMHPs shall be available 24 hours per day, 7 days per week. The MCO shall provide UM staff, both experienced and specifically assigned to children, youth, adults, and older adults, and permanent support housing (PSH).
  - ❖ Concurrent Review Staff to conduct inpatient concurrent review. This staff shall include of a Louisiana licensed registered nurse, advanced practice registered nurse, physician, or physician's assistant. The staff will work under the direction of a Louisiana licensed registered nurse, advanced practice registered nurse, physician or physician's assistant.
    - The MCO shall have a sufficient number of LMHPs, including licensed addiction counselors (LACs), as well as a board-certified psychiatrist and a board-certified addictionologist. If an addictionologist cannot be retained full-time due to limited availability, the MCO shall contract with a qualified consultant. With the exception of the addictionologist who shall be available at least 10 hours per week, the other LMHPs shall be available 24 hours per day, 7 days per week. The MCO shall provide UM staff, both experienced and specifically assigned to children, youth, adults, and older adults, and permanent support housing (PSH).
  - ❖ Clerical and Support Staff to ensure proper functioning of the MCO's operation.
  - ❖ Physical Health Provider Services Staff to enable providers to receive prompt responses and assistance and handle physical health provider complaints and appeals. Provider Services staff shall be dedicated to the Louisiana Medicaid product, and there shall be sufficient Provider Services staff to enable providers to receive prompt resolution of their problems and inquiries and appropriate education about participation in the MCO and to maintain a sufficient provider network.
  - ❖ Behavioral Health Provider Services Staff to enable providers to receive prompt responses and assistance and handle behavioral health provider complaints and appeals. There shall be sufficient Provider Services

staff to enable providers to receive prompt resolution of their problems and inquiries and appropriate education about participation in the MCO and to maintain a sufficient provider network.

- ❖ Peer Support Specialist Staff to focus on peer to peer activities providing advocacy and the creation of a system which will enable an individual's resiliency and recovery.
- ❖ Enrollee Services Staff to enable enrollees to receive prompt responses and assistance. There shall be sufficient Enrollee Services staff, 100% dedicated exclusively to LA Medicaid, to enable enrollees and potential enrollees to receive prompt resolution of their problems or inquiries.
- ❖ Claims Processing Staff to ensure the timely and accurate processing of original claims, resubmissions and overall adjudication of claims.
- ❖ Encounter Processing Staff to ensure the timely and accurate processing and submission to LDH of encounter data and reports.
- ❖ Care Management Staff to assess, plan, facilitate and advocate options and services to meet the enrollees' health needs through communication and available resources to promote quality cost-effective outcomes. The MCO shall provide and maintain in Louisiana, appropriate levels of care management staff necessary to ensure adequate local geographic coverage for in-field face-to-face contact with physicians and enrollees as appropriate and may include additional out of state staff providing phone consultation and support.
  - An adequate number of care management staff necessary to support enrollees in need of specialized behavioral health services shall be certified in treatment planning through the completion of specialized training in the Treatment Planning Philosophy.
  - For the population receiving specialized behavioral health services, the MCO shall have integrated care management centers/care management staff that physically co-locate with care management staff. The MCO shall employ case managers to coordinate follow-up to specialty behavioral health providers and follow-up with enrollees to improve overall health care.
  - The MCO shall have an adequate number of care management staff necessary to support enrollees who meet target population criteria for the DOJ agreement. This care management staff for the DOJ Agreement Target Population shall include coverage for in field face-to-face contact with physicians/providers, enrollees, family members, LDH Transition Coordinators, and other community resources/supports as appropriate.
- ❖ Fraud, Waste, and Abuse Investigators are responsible for all fraud, waste, and abuse detection activities, including the fraud and abuse compliance plan, MCO employee training and monitoring, sampling investigation of paid claim discrepancies, and day-to-day provider investigation related inquiries. These positions shall be located in Louisiana.
- ❖ Licensed Mental Health Professionals (LMHP)
  - To perform evaluations for adult mental health rehabilitation services. Whether through subcontract or direct employment, the MCO shall maintain appropriate levels of LMHP staff to ensure adequate local geographic coverage for in field face-to-face contact with enrollees. LMHP staff must be trained to determine the medical necessity criteria as established by the State. LMHPs shall be certified in administering the Level of Care Utilization System (LOCUS).
  - To perform PASRR Level II evaluations upon referrals from OBH to assess the appropriateness of nursing facility placement and the need for, and facilitation of, behavioral health services. PASRR Level II evaluations must be performed by an LMHP independent of OBH and not delegated to a nursing facility or an entity that has a direct or indirect affiliation or relationship with a nursing facility as per 42 C.F.R. §483.106. Whether through subcontract or direct employment, the MCO

shall maintain appropriate levels of LMHP staff to ensure adequate local geographic coverage for in field face-to-face contact with enrollees in need of such evaluations. These staff must be administratively separate from staff performing utilization review but may be the same staff as listed under the “Licensed Mental Health Professionals (LMHP)” additional staff requirement.

- ❖ Behavioral Health Liaisons and Coordination with Partner Agencies to provide liaison activities for the following entities. The liaison shall be available for response to inquiries within one business day of inquiry. Any change in liaison personnel shall be sent to respective entity within 48 hours of notice to the MCO.
  - A liaison dedicated solely to LDOE, DCFS and OJJ. This liaison shall also be responsible for outreach, education and community involvement for the court systems, education systems and law enforcement. This staff position must be located in Louisiana. The designated liaison must attend all CSoc Governance Board meetings. The liaison shall have experience in child welfare and delinquency. The liaison shall also outreach to local school systems to educate on the services available. The liaison shall be knowledgeable and provide education on the entire behavioral health service array including, CSoc, crisis services and process for obtaining services and out of home placements and process for placement.
  - A single point of contact dedicated to liaising with the judicial system. Functions include serving as a point of contact for judges, court personnel and appearing in court when requested by the court system or LDH. This contact shall also serve as a point of contact for LDH legal and staff working with LDH custody cases. This person shall have familiarity with drug court, juvenile court, family court and criminal court processes and issues. This person shall provide continuous outreach and education to the judicial system on access to services. This staff person may also serve the function listed above as the DCFS/OJJ point of contact; however, if LDH determines the caseload to be too voluminous, LDH may request an additional staff person be hired.
  - Local Governing Entity (LGE) liaison who shall serve as a point of contact for inquiries, barriers and resolution for LGEs. The liaison shall have experience with the LGE structure, services provided, members served and responsibilities. This liaison may be required to attend Human Services Interagency Council (HSIC) meetings if requested by LDH. The liaison shall have knowledge of the non-Medicaid uninsured system.
  - Tribal liaison that is the single point of contact regarding delivery of covered services to Native Americans.
  - Behavioral health consumer and family organizations liaison for children, youth and adults. This person shall be a peer, former consumer of services and/or in recovery. This liaison shall be engaged with the advocacy community.
  - A Permanent Supportive Housing (PSH) program liaison, to be approved by LDH, to work with LDH PSH program staff to ensure effective implementation of PSH program deliverables.
  - An Intellectual/Developmental Disability (I/DD) liaison to work with OCDD staff to ensure effective medical and behavioral services are in place for the I/DD population. The liaison shall have knowledge of the I/DD service delivery system.
  - A liaison dedicated to ensuring MCO compliance with both the provision of supports and services for individuals referred to and residing in Nursing Facilities (NF), as well as all activities related to the DOJ Agreement and the My Choice Louisiana program. The liaison shall ensure compliance with all requirements associated with these activities, including the provision of care management and services to populations impacted through these initiatives. The liaison shall respond to

inquiries within one business day. Any change in liaison personnel shall be sent to respective entity within 48 hours of notice to the MCO.

- ❖ Population Health and Health Related Social Needs (HRSN) Liaisons to provide liaison activities to the Office of Public Health (OPH) for the following activities:
  - A liaison for population health and Health Related Social Needs (HRSN) activities. This person shall be familiar with the MCO's population health strategic plan.

## MCO POLICY AND PROVIDER MANUAL SUBMISSION GUIDANCE

The MCO shall submit all new or materially amended policies, procedures, and provider manuals to [MCOPolicies@la.gov](mailto:MCOPolicies@la.gov). A brief description should be provided in the subject line. Submissions of materially amended policies, procedures, and provider manuals shall include a single document containing the existing policy, procedure, or provider manual with the proposed revisions redlined.

E-mails must not be sent to specific individuals or to [ProviderRelations@la.gov](mailto:ProviderRelations@la.gov).

In accordance with La. R.S. 46:460.54, prior to approving any policy or procedure, LDH will publish the proposed policy or procedure on the LDH website for a period of no less than 45 calendar days for the purpose of soliciting public comments. The public comment period will not apply if LDH finds that an imminent peril to the public health, safety, or welfare requires immediate adoption of the proposed policy or procedure. The public comment period also will not apply for non-material revisions. A policy or procedure proposed by an MCO shall not be implemented unless LDH has provided its express written approval to the MCO after the expiration of the public notice period. Additionally, the MCO shall notify its network providers at least 30 calendar days prior to implementation of a new or revised policy or provider manual change.

## REPORTING

The MCO shall comply with all reporting requirements established by the Contract in accordance with this Manual and LDH-issued companion and reporting guides.

The MCO shall create deliverables which may include documents, manuals, files, plans, and reports using the electronic formats, instructions, and timeframes as specified by LDH and at no cost to LDH.

Unless otherwise specified, LDH shall utilize standard rounding (i.e., reported figures shall be rounded up or down to the nearest whole number) to determine compliance.

## Certification of Data and Reports

The MCO shall ensure the accuracy, completeness, and timely submission of each report.

The MCO shall submit all data required by 42 C.F.R. §438.604, including any additional data, documentation, or information relating to the performance of its obligations as required by LDH and shall certify all submitted data, documents and reports per 42 C.F.R. §438.606. All data reported must be certified including, but not limited to, enrollment information, financial reports, encounter data, and other information as specified within the Contract

and this Manual. The certification must attest, based on best knowledge, information, and belief as to the accuracy, completeness and truthfulness of the documents and data. The MCO must submit the certification concurrently with the certified data and documents. LDH will identify specific data that requires certification.

The data shall be certified by one of the following:

- ❖ The MCO's Chief Executive Officer (CEO);
- ❖ The MCO's Chief Financial Officer (CFO); or
- ❖ An individual who has the delegated authority to sign for, and who reports directly to the CEO or CFO.

The MCO shall provide the necessary data extracts to LDH or its designee as required by the Contract or specified in the Manual.

## Information Related to Business Transactions

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The MCO shall furnish to LDH and/or to the United States Department of Health and Human Services, information related to significant business transactions as set forth in 42 C.F.R. §455.105. Failure to comply with this requirement may result in termination of this Contract.

The MCO shall submit, within 35 calendar days of a request made by LDH, full and complete information about:

- ❖ The ownership of any subcontractor with whom the MCO has had business transactions totaling more than \$25,000 during the 12 month period ending on the date of this request; and
- ❖ Any significant business transactions between the MCO and any wholly owned supplier, or between the MCO and any subcontractor, during the five year period ending on the date of this request.

## Report of Transactions with Parties in Interest

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The MCO shall report to LDH all "transactions" with a "party in interest" (as such terms are defined in Section 1903(m)(4)(A) of the Social Security Act and D(A-B)), as required by Section 1903(m)(4)(A) of the Social Security Act.

The MCO shall make the information reported pursuant to this section available to its enrollees upon reasonable request.

Federally qualified MCOs are exempt from this requirement. LDH may require that the information on business transactions be accompanied by a consolidated financial statement for the MCO and the party in interest.

The business transactions that must be reported are not limited to transactions related to serving the Medicaid enrollment. All of the MCO's business transactions must be reported.

If the contract is renewed or extended, the MCO must disclose information on business transactions which occurred during the prior contract period.

## Key Staff Reporting

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The MCO must submit to the LDH the following staff-related items annually:

- ❖ An updated organization chart complete with the key staff positions. The chart must include the person's name, title, telephone number, and portion of time allocated to the Contract, other Medicaid contracts, and other lines of business.
- ❖ A functional organization chart of the key program areas, responsibilities, and the areas that report to each position.
- ❖ A listing of all functions and their locations; and a list of any functions that have moved outside of the state of Louisiana in the past contract year.

## Health Needs Assessment

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The MCO shall maintain health needs assessment (HNA) records and submit them to LDH upon request.

## Encounter Data

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The MCO shall comply with the required encounter data format provided by LDH. Encounter data includes claims paid or denied by the MCO or the MCO's subcontractors for services delivered to enrollees through the MCO during a specified reporting period. Submissions must include, at a minimum, all enrollee encounter data, including allowed amount and paid amount, that the State is required to report to CMS. LDH collects and uses this data for many reasons such as: federal reporting, rate setting, risk adjustment, service verification, managed care quality improvement program, utilization patterns and access to care, LDH hospital rate setting and research studies.

The MCO shall accurately report, via encounter data submissions all EPSDT and well-child services, blood lead screening access to preventive services, and any other services as required for LDH to comply with federally mandated CMS 416 reporting requirements.

LDH may change the encounter data transaction requirements with 60 calendar days' written notice to the MCO. Current LDH specifications are included in the **MCO System Companion Guide**. The MCO shall, upon notice from LDH, provide notice of encounter data changes to subcontractors.

## Financial Reporting

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The MCO shall submit to LDH unaudited quarterly financial statements and an annual audited financial statement, using the required format provided by LDH. Quarterly financial statements shall be submitted no later than 60 calendar days after the close of each calendar quarter. Audited annual statements shall be submitted no later than six months after the close of the MCO's fiscal year.

The financial statements shall be specific to the operations of the MCO rather than to a parent or umbrella organization. Audited annual statements of a parent organization, if available, shall be also submitted.

All financial reporting shall be based on Generally Accepted Accounting Principles (GAAP).

## Information on Persons Convicted of Crimes

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The MCO shall furnish LDH information related to any person employed or contracted with the MCO convicted of a criminal offense under a program relating to Medicare (Title XVIII), Medicaid (Title XIX), and Title XX as set forth

in 42 C.F.R. §455.106 and including SCHIP (Title XXI). Failure to comply with this requirement may lead to termination of the Contract.

## Errors

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The MCO shall prepare complete and accurate reports for submission to LDH. If after preparation and submission, an error is discovered either by the MCO or LDH; the MCO shall correct the error(s) and submit accurate reports as follows:

- ❖ For encounters – In accordance with the timeframes specified in the Contract and the Manual.
- ❖ For all reports and data submissions – 7 calendar days from the date of discovery by the MCO or date of written notification by LDH (whichever is earlier). LDH may at its discretion extend the due date if an acceptable plan of correction has been submitted and the MCO can demonstrate to LDH's satisfaction the problem cannot be corrected within 7 calendar days.

Failure of the MCO to respond within the above specified timeframes may result in a loss of any money due the MCO and the assessment of monetary penalties.

## Submission Timeframes

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The MCO shall ensure that all required deliverables, which may include documents, manuals, files, plans, and reports are submitted to LDH in an accurate, complete, and timely manner for review and approval. The MCO's failure to submit the deliverables as specified may result in the assessment of monetary penalties.

LDH may, at its discretion, require the MCO to submit additional deliverables both ad hoc and recurring. If LDH requests any revisions to the deliverables already submitted, the MCO shall make the changes and re-submit the deliverables, according to the time period and format required by LDH. If not otherwise restricted by federal or state laws or regulations, LDH will provide the MCO with 60 calendar day notice on changes to all on-going reports.

Unless otherwise specified in the contract, deadlines for submitting deliverables are as follows:

- ❖ Monthly deliverables shall be submitted no later than the 15<sup>th</sup> calendar day of the following month;
- ❖ Quarterly deliverables shall be submitted by April 30, July 30, October 30, and January 30, for the calendar quarter immediately preceding the due date;
- ❖ Annual reports and files, and other deliverables due annually, shall be submitted within 30 calendar days following the 12<sup>th</sup> month of the contract year; except those annual reports that are specifically exempted from this 30-calendar-day deadline by the Contract or this Manual. The Contract or this Manual will specify the due date of any annual report it exempts from this 30-calendar-day deadline. If the Contract is terminated early, the Contractor shall submit reports and other deliverables as specified by LDH in the notice of termination or as otherwise provided in the Contract; and
- ❖ If a due date falls on a weekend or State-recognized holiday, deliverables will be due the next business day.

The MCO may submit deadline extension requests for LDH consideration. Requests should be made in writing, include the reason for the delay and the anticipated delivery date, and be submitted to LDH before close of business on the due date.

## Recurring Reports

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The MCO shall prepare and submit recurring reports in the format prescribed by LDH. Unless otherwise specified, all reports shall be submitted electronically.

The Manual and related LDH Managed Care Reporting website [\[link\]](#) will serve as the definitive source of all required recurring reports.

The MCO shall refer to the LDH Managed Care Reporting website for a complete list of recurring reports, report formats, templates, instructions, data specifications, submission timelines and locations, and other requirements.

If the Contract is terminated early, the MCO shall submit reports and other deliverables as specified by LDH in the notice of termination, or as otherwise provided in the Contract.

## Ad Hoc Reports

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The MCO shall prepare and submit any other reports as required and requested by LDH, any of LDH's designees, the legislature, or CMS, that are related to the MCO's duties and obligations under the Contract.

Ad hoc reports shall be submitted within five business days from the date of request, unless otherwise approved by LDH.

## Transparency Report

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The MCO shall designate one staff member to serve as the single point of contact for all Transparency Report requests.

The MCO shall comply with all data requests and independent surveys from LDH or its designee. The MCO shall comply with all instructions and definitions as disseminated by LDH for transparency reporting.

Failure to comply with reporting instructions will require resubmission of data by the MCO to LDH. To validate that the reports are submitted correctly, the MCO may be required to supply its data code upon request of LDH or its designee. Repeat deficiencies may subject the MCO to monetary penalties at the discretion of LDH.

# INTEGRATION ASSESSMENT OF PHYSICAL AND BEHAVIORAL HEALTH

Each MCO shall work with LDH to develop a plan for the MCOs to conduct annual assessments of practice integration using the publicly available Integrated Practice Assessment Tool (IPAT) on a statistically valid sampling of providers to include but not be limited to behavioral health providers and primary care providers: internists, family practitioners, pediatrics, OB-GYNs, and any other providers that are likely to interface with behavioral health populations. The MCO-led workgroup will identify opportunities to coordinate this effort across MCOs to ensure comparability of results across MCOs and minimize burden on providers. The results of the initial survey must be reported to LDH annually.

The MCO must use an integration assessment tool to self-assess annually. Those results shall also be reported annually to LDH. The assessment should be inclusive of, but not limited to, such factors as:

- ❖ Assessing enrollee and provider experiences around integrated care annually and make improvements as appropriate.
- ❖ Identifying opportunities to strengthen or complement the IPAT by identifying barriers and opportunities in the following functional areas:
  - Knowledge, attitudes and cross-training needs (e.g., assessing provider knowledge of best practices to address non-complicated behavioral health conditions in primary care);
  - Human resource needs (e.g., access to behavioral health providers at primary care clinics and medical providers at mental health clinics);
  - Access to services (e.g., laboratories for behavioral health practices);
  - Existing processes for integration (e.g., joint rounds on complex medical-behavioral cases, joint treatment team meetings, and established procedures for consultations);
  - Existing tools for integration (e.g., brief screening tools, electronic health records);
  - How contractors will use data from the IPAT assessment in their annual report;
    - Number and type of trainings on integration offered by the MCO;
    - The number of forums held with outcomes;
    - What outreach was done to promote integration, especially on the physical health side;
    - How many “hot spot” sources of high emergency department (ED) referrals and/or inpatient psychiatric hospitalization have been identified;
    - Has the identification of these “hotspots” led to pre-emptive coordination;
    - What incentives are being offered to improve integration of providers and are the incentives effective;
    - The status of real time consultation of primary care providers with behavioral health professionals or psychiatrists for behavioral health issues or consultations on medications;
    - The status of a single or integrated clinical documentation system;
    - The status of unified systems across behavioral and physical health management; and
    - How is the MCO addressing integration at the MCO level to include specific actions taken and the timeline to assess integration at this level.

## LEGAL COMPLIANCE

This section provides additional information or guidance related to court-ordered requirements.

### AJ v. LDH

This section explains the class-action lawsuit titled *A.J., a minor child by and through his mother, Donnell Creppel, et al., versus the Louisiana Department of Health, et al.*, 3:19-CV-00324 (hereinafter, “AJ v. LDH”) and the implementation and operation of key provisions of the settlement agreement in that litigation. Refer to the Home Health chapter of the **Medicaid Services Manual** for general policies about home health services not specific to AJ v. LDH.

### Member Class

Class members in AJ v. LDH are defined as follows: All current and future Medicaid beneficiaries under the age of 21 in Louisiana who are certified in the Children’s Choice Waiver, the New Opportunities Waiver, the Supports Waiver, or the Residential Options Waiver who are also prior authorized to receive extended home health (EHH) services or intermittent nursing (IN) services which do not require prior authorization but are not receiving some or all of the hours of extended home health services or intermittent nursing services as authorized by Louisiana Medicaid.

### Litigation Summary

AJ v. LDH, filed on May 22, 2019, seeks to enforce rights under the EPSDT and reasonable promptness mandates of Title XIX of the Social Security Act, the Americans with Disabilities Act [42 U.S.C. §12131, *et seq.*], and Section 504 of the Rehabilitation Act [29 U.S.C. §794] by compelling the Department to arrange for the in-home skilled nursing care prior authorized for Medicaid-enrolled, medically fragile children. Because of their medical needs, class members have been prior authorized to receive EHH services to be able to live in the community. Data reflect gaps between the EHH service amounts prior authorized and the EHH service amounts actually delivered to class members. Potential service gaps in medically necessary IN services to class members also fall under the scope of the litigation. The suit has been settled, and the corresponding settlement agreement was approved by the court on March 31, 2020.

### Prohibited Acts

MCOs are prohibited from reducing prior approved EHH service amounts for class members to increase the percentage of prior approved EHH services actually delivered. Such reduction in the amount of services that have been prior approved is contrary to federal Medicaid law and would constitute a due process violation under the United States Constitution.

### Settlement Implementation

Implementation of the settlement by MCOs is discussed more fully below.

## Crisis Response Team

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Louisiana Medicaid has established a Crisis Response Team (CRT), the primary responsibility of which is arranging for in-home nursing services for class members when such services are unavailable through existing Medicaid home health agencies within the class member's LDH region. The MCO is responsible for accepting referrals from the CRT and arranging service fulfillment.

Support coordinators or case managers have the obligation promptly to make referrals to the CRT for any class member who, after making reasonable efforts to receive EHH or IN services:

- ❖ Has received less than 90% of his or her prior approved EHH or medically necessary IN services for at least two consecutive weeks; or
- ❖ Has been unable to locate a home health provider in his or her LDH Region or has been denied enrollment by all home health providers in his or her LDH Region; or
- ❖ Is otherwise facing a serious risk of institutionalization due to lack of EHH or IN services.

In addition, when a need for IN has been identified and a class member is being terminated from existing EHH services where the class member's LDH region does not have a provider for IN services on the date that the notice of denial has been sent, the class member must be immediately referred to the CRT. In such situations, a reasonable effort includes a reevaluation of whether or not the class member should have been found eligible for EHH services.

The CRT operates in addition to, and does not replace, the responsibilities of a class member's existing support coordinator or case manager.

The MCO is responsible for submitting a weekly report to LDH documenting the actions taken by the MCO to ensure service provision and fulfillment for CRT referral members. The MCO is also responsible for submitting a monthly report detailing the hours and service provision for class members.

## Class Member Denial Notices

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Notices to class members denying EHH services must contain contact information for the CRT when there is an identified need for IN services, i.e., for in-home skilled nursing services of visits with a duration shorter than three contiguous hours per day.

Contact information for the CRT is as follows:

- ❖ E-mail: [crisisresponseteam@la.gov](mailto:crisisresponseteam@la.gov)
- ❖ Telephone: (866) 729-0017

Additionally, in situations when a class member is being referred to the CRT due to the unavailability of a provider for IN services concurrent with a termination from existing EHH services, the notice of denial to the class member of the EHH services termination must also notify the class member of the referral to the CRT.

## Case Management

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Support coordinators or case managers must document in the progress notes for each class member all prior approved EHH or medically necessary IN services and whether those EHH or IN services are provided, as reported by the family, including whether the family has refused the offered services and, if so, the basis for the refusal.

## Additional Rate Modifiers

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Louisiana Medicaid has published a Home Health Services Fee Schedule that includes modifiers with enhanced rates for situations in which two beneficiaries are cared for simultaneously, for children in EHH with high medical needs, for overnight shifts for EHH, for weekend shifts for EHH, for holiday shifts for EHH, and for EHH services in rural areas. These rate modifiers may be used in applicable circumstances to provide an enhanced reimbursement rate to home health providers in order to facilitate fully staffing prior approved EHH services for class members.

A home health agency may also submit claims using the TU modifier to identify hours for an EHH enrollee that were paid as overtime to the nurse delivering the care. This modifier shall not require prior authorization but must be for hours already authorized for the enrollee. When billing, this modifier may be used in addition to any other authorized modifiers (e.g., TG) for procedure codes S9123 and S9124, but shall be paid at a minimum of 1.5 times the base rate of the procedure code.

The use of this modifier is subject to post-payment review. The MCO shall require the home health agency to maintain all necessary documentation to support the use of this modifier. Non-compliance with written policy may result in recoupment and additional sanctions, as deemed appropriate by Louisiana Medicaid.

## Termination

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The settlement period for *AJ v. LDH* is scheduled to terminate on March 31, 2025, unless otherwise ordered by the court.

## Chisholm v. LDH

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Class members in *Chisholm v. LDH* (Case 2:97-cv-03274) are defined as follows: All current and future beneficiaries of Medicaid in the state of Louisiana under age twenty-one who are now on or will in the future be placed on the Developmental Disabilities Request for Services Registry.

The MCO shall comply with all court-ordered requirements as directed by LDH, including, but not limited to, guidance provided in the **Chisholm Compliance Guide** and accompanying **MCO User Manual**.

## DOJ Agreement

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The target population of the Department of Justice (DOJ) Agreement (Case 3:18-cv-00608, Middle District of Louisiana) are defined as follows: (a) Medicaid-eligible individuals over age 18 with serious mental illness (SMI) currently residing in nursing facilities; (b) individuals over age 18 with SMI who are referred for a Pre-Admission Screening and Resident Review (PASRR) Level II evaluation of nursing facility placement during the course of this Agreement, or have been referred within two years prior to the effective date of this Agreement; and (c) excludes those individuals with co-occurring SMI and dementia, where dementia is the primary diagnosis.

The MCO shall comply with all court-ordered requirements as directed by LDH, including, but not limited to, guidance provided in the **DOJ Agreement Compliance Guide**.

## Monitoring of Denial Notices

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LDH monitors denial and partial denial notices to ensure compliance with federal requirements regarding timely and adequate notices of benefit determinations for prior authorized services. An auditing and monitoring process was established following the *Wells v. Gee* litigation (Case 3:14-cv-00155).

As a result of the joint stipulation from the *Wells v. Gee* settlement, LDH developed multiple templates to help the MCOs maintain compliance with federal requirements as it pertains to the development of denial and partial denial notices of prior authorized services. LDH strongly encourages continued use of these templates as a resource tool to assist with compliance. See the *Resources* section for a link to these templates.

## PUBLIC RECORDS' REQUEST PROTOCOL

LDH and MCOs agree that timely responding to public records act requests ("PRR") is an important facet of the LDH/MCO relationship. These protocols are designed to facilitate a collaborative approach aimed at allowing LDH to promptly respond to these requests in accordance with law. PRRs may be presented that call for responses, and effort to create these responses, that range from simple to complicated. LDH and MCOs agree that collaborative cooperation founded upon early and frequent communications between both sides can be helpful. These communications could serve to refine a request to the necessary records and to promote accurate responses. Such discussions are especially useful when such requests appear to be large, to be vague or confusing, seek information that does not exist as requested, or present other challenges that could impact response times. LDH and MCOs shall utilize these Protocols to produce streamlined, accurate and timely responses to PRRs.

## Receipt of Potential Public Records Request

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When LDH receives a request that may be a PRR, the Department will initiate contact with the MCO(s) that may have documents potentially responsive to the request. This will provoke a dialogue between the LDH legal team and MCO legal representatives where questions concerning the Request and potential responses can be addressed. The Parties agree to early and frequent communications regarding PRRs. These discussions would also allow for questions as to whether the document being sought may in fact be a public record.

## Public Records' Requests Points of Contact for LDH and MCOs

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The MCO shall provide LDH with the name of the individual who will serve as the point of contact for handling public records' requests within seven calendar days of request. If this point of contact changes at any time, the MCO shall provide LDH with an updated contact immediately.

LDH's point of contact for handling MCO-related public records' requests is the Medicaid Public Records Request Coordinator.

## **Transmission of the Public Records Request**

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Upon receipt of a PRR, LDH will determine if the response requires records from the MCO. If LDH believes the MCO has records responsive to a PRR, LDH shall notify the MCO of the PRR, and shall forward an exact copy of the request in its entirety via email to the MCO's point of contact for handling public records' requests within one business day of receipt.

If the MCO receives a public records' request directly from a requesting party, the MCO shall forward the request via email to the Medicaid Public Records Request Coordinator within one business day of receipt.

In no event shall the MCO directly respond to the requesting party to satisfy a PRR. Unless otherwise directed by a court of competent jurisdiction, LDH is the party that shall provide the response to each PRR.

If the MCO believes the records are not public and/or meet an exception to the Louisiana Public Records law, the MCO shall produce a log that describes each document or document type that is being withheld and shall describe the specific objection and legal basis for the withholding, pursuant to the timeline and in the requested format established by LDH. LDH and MCO agree that the MCO is only obligated to provide documents responsive to its Medicaid Managed Care product.

## **Process for LDH to Evaluate Whether Records are Subject to the Louisiana Public Records law**

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Upon receipt of objection from MCOs, LDH and MCO shall confer at a mutually convenient time with due consideration to legal restraints for compliance with Public Records Law. LDH Legal will review the objections, and confer with the Medicaid Public Records Request Coordinator, as necessary, to address MCOs objections. LDH and MCO will confer regarding response to the PRR, including production of documents for which no objection is made, and alternative response, if possible, for records (e.g., redaction) for which objection is made.

## **Notice to MCOs of Impending Release of Records MCO has Deemed Not Public and/or Meet an Exception to the Public Records Law**

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If LDH and MCO cannot agree to the response to the PRR, LDH will provide MCO with written notice that LDH will respond to the PRR over MCO's objections, specifying the date on which LDH will respond, which shall not be less than seven business days from the written notice. MCO has the right to seek injunctive or other judicial or administrative relief to prohibit LDH's response. If MCO elects to file a Petition for Injunctive Relief, Declaratory Judgment or other process for judicial or administrative relief, MCO will promptly deliver a copy of the petition or other pleading to LDH, and thereafter shall keep LDH notified of any significant developments that would impact LDH's obligations under Public Records laws. LDH and MCO shall cooperate as necessary any such judicial or administrative proceeding, and shall comply with the final judgment or other ruling or determination regarding PRR. If MCO does not file a Petition for Injunctive Relief or seek such judicial or administrative relief as specified above, LDH may respond to the PRR in the manner LDH determines appropriate.

## PART 3: ELIGIBILITY & ENROLLMENT

The Louisiana Medicaid managed care program is comprised of mandatory and voluntary opt-in populations. LDH is responsible for determining eligibility for enrollment in the MCO, and the MCO is required to accept these enrollees for the provision of covered services.

The Contract identifies the populations that are eligible for enrollment in managed care and the service offerings available to them. This Manual broadly refers to enrollees with P-linkages and B-linkages.

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***P-linkage:** Refers to enrollment in an MCO for physical health, behavioral health, and transportation services.*

***B-linkage:** Refers to enrollment in an MCO for specialized behavioral health and non-emergency medical transportation (NEMT), including non-emergency ambulance transportation (NEAT).*

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Additional guidance regarding special populations and enrollment processes are provided in this section.

### CERTIFICATE OF CREDITABLE COVERAGE

Certificates of Creditable Coverage, or portability letters, are written certificates issued by a health plan or health insurance issuer to show prior healthcare coverage. LDH determines the eligibility of individuals for enrollment into an MCO; therefore, the MCO shall direct any requests for a Certificate of Creditable Coverage to LDH.

The MCO should route enrollees to the Medicaid Recovery and Premium Assistance Unit at 225-342-8662 to request the certificate.

### NEWBORN ENROLLMENT

A woman whose basis of Medicaid eligibility is pregnancy (LaMOMS) is a mandatory enrollee in the managed care program. When a pregnant woman chooses an MCO, she will be advised by the enrollment broker that her newborn will be enrolled in that same MCO for, at a minimum, the month of birth.

Following birth, the mother has the option to choose a different MCO for her baby. When this happens, enrollment in the new MCO will be effective the first day of the month after she chooses the new MCO if the choice is made on or before the second to last working day of the month.

The MCO shall be responsible for ensuring that hospitals report the births of newborns within twenty-four (24) hours of birth for enrolled enrollees via the LDH Self-Service Provider Portal. If the enrollee makes a PCP selection during the hospital stay and one was not already identified, this information shall be reported to the MCO. If no selection is made, the MCO shall provide the enrollee with a minimum of 14 calendar days after birth to select a PCP prior to assigning one.

Hospitals will continue to report births to LDH via the Newborn Request Form via the web-based facility notification system. Within three business days, LDH will assign the newborn a Medicaid ID number and add the baby to the Medicaid eligibility file. On the night that the newborn is added to the Medicaid eligibility file, the enrollee information will be sent to the enrollment broker. The enrollment broker will include the newborn on the next daily enrollment file to the mother's MCO and the MCO will add the newborn to their enrollee file. Enrollment of newborns shall be retroactive to the date of the birth.

The enrollment broker will generate a confirmation letter to the mother indicating that the baby has been enrolled in the MCO in which she is enrolled and giving her 90 days from the date of the letter to select a different MCO for the baby if she chooses to do so.

The MCO is responsible for covering all newborn care rendered within the first month of life regardless of whether it is provided by in an in-network or out-of-network provider.

NOTE: Primary care physician (PCP) assignment for the newborn is made by the MCO, not by LDH or the enrollment broker. Refer to the Contract for requirements.

## JUSTICE-INVOLVED ENROLLEES

LDH, in conjunction with the Department of Corrections (DOC), has developed a pre-release program for the offender population that is covered by Medicaid under the New Adult Group through Medicaid expansion. All justice-involved enrollees releasing from incarceration shall be enrolled in accordance with the process outlined in the **Justice-Involved Pre-Release Enrollment Program Manual**.

## ELIGIBILITY UPDATES

The enrollment broker shall make available to the MCO, via electronic media (i.e., ASC X12N 834 Benefit Enrollment and Maintenance transaction), daily updates on new enrollees in the format specified in the **834 Systems Companion Guide**.

In addition to the daily file, the enrollment broker shall transmit to the MCO files containing retroactive updates to enrollment. These files will be available to download via the enrollment broker's EDI site.

## Medicaid Eligibility Determinations Based on SSI

When Supplemental Security Income (SSI) determinations are obtained by LDH from the Social Security Administration, they may be retroactive and LDH will alter eligibility periods with the appropriate aid category/type case information. This eligibility process may cause overlaps with existing eligibility periods for the impacted enrollees, resulting in a need for reconciliation between LDH, the fiscal intermediary, the enrollment broker, and the MCO.

The overlapping certification will be transmitted daily from LaMEDS to the fiscal intermediary. The fiscal intermediary will send the overlapping eligibility information to the enrollment broker via daily enrollee files and/or weekly full reconciliation files, and the enrollment broker will distribute to the MCOs via 834 full reconciliation file in the 2700 Loop. All historical eligibility will be present on the file.

The fiscal intermediary will conduct a retrospective SSI cleanup on a monthly basis, with a 12-month look back period from the beginning of the month. MCOs can identify impacted enrollees by reviewing the associated 820 file.

## ADMINISTRATIVE RETROACTIVE CORRECTIONS

Administrative retroactive corrections to enrollee linkages may be necessary to ensure compliance with internal policies and the approved Louisiana Medicaid State Plan. These corrections may address multiple months and significantly impact paid claims and PMPMs.

Each month, LDH and its fiscal intermediary will review all changes made by the enrollment broker in the prior month to identify retroactively enrolled or disenrolled individuals, claims paid within this retroactive period, and associated adjustments needed to PMPMs.

LDH, or its designee, will send a monthly report of impacted enrollees to the MCOs with detailed information to assist in anticipating claims which should be billed to them for their retroactively enrolled enrollees.

### Retroactive Enrollment

An enrollee may be retroactively enrolled with an MCO up to 12 months prior to the enrollee's MCO linkage add date. Providers have up to 365 calendar days from the date of service or 180 calendar days from the enrollee's MCO linkage add date, whichever is later, to submit claims to the MCO for dates of service during the retrospective enrollment period. The MCO linkage add date is reported on the 834 file header.

MCOs shall not deny these claims for timely filing, prior authorization or precertification edits. The provider shall not be required to submit the enrollee's eligibility determination award letter. Instead, the MCO shall develop a process to bypass timely filing, prior authorization, and precertification edits using the enrollee's MCO linkage add date.

MCOs may conduct post-service reviews for medical necessity, and if the MCO determines the service was not medically necessary, the MCO may deny the claim. The provider will have the right to appeal the denial.

### Retroactive Disenrollment

The MCO shall review the daily 834 files and any manual special processing files provided by the enrollment broker on a daily basis to identify whether any of its enrollees were retroactively disenrolled. The MCO shall identify all associated claims which were paid for these enrollees.

If the enrollee was retroactively disenrolled *due to the invalidation of a duplicate Medicaid ID and the remaining valid ID is linked to another MCO*, in accordance with the Contract, the MCO shall subrogate the amount of the paid claims to the MCO that paid the claims for the dates of service.

If the enrollee was retroactively disenrolled for any other reason, the MCO shall:

- ❖ Initiate recoupments of reimbursements to providers, via written notice, within 60 days of the date LDH notifies the MCO of the change.

- ❖ Require providers to submit paper/hard copy claims to the correct entity, unless the MCO has established other means of identifying these claims.
  - Providers shall not be required to obtain prior authorization or pre-certification for these claims.
  - Providers must attach documentation supporting the void. This may be the remittance advice (RA) indicating the void.
  - The MCO shall not deny claims submitted in cases of retroactive eligibility for timely filing if the claim is submitted within 180 days from the enrollee's linkage to the MCO.
    - The exception to the retroactive eligibility timely filing requirements are such that the claim must be submitted to the MCO by the latter of 365 calendar days from the date of service or 180 days from the enrollee's linkage to the MCO.
- ❖ Submit encounters for voided claims to the fiscal intermediary.

Refer to the Contract for additional requirements related to provider recoupments, including provider notification requirements.

## ENROLLEE RETROACTIVE REIMBURSEMENT

The MCO is responsible for processing retroactive reimbursement requests submitted by Medicaid enrollees. Medicaid enrollees may be directly reimbursed for part or all of any medical expenses paid by them to any Medicaid provider for medical care, services, and supplies delivered during the period of retroactive eligibility and prior to the expected date of receipt of the MCO's ID card and/or expected date of receipt of notification of linkage to the MCO. Value-added benefits offered by the MCOs are not eligible for reimbursement.

The MCO must have written policies and procedures for receiving, processing, and issuing payment for enrollee retroactive reimbursement requests and a tracking system that can be accessed by its member services staff.

The MCO shall provide customer service to enrollees who seek explanations and/or education regarding retroactive reimbursement issues.

The MCO must use claims payment business processes that deny or approve requests for retroactive reimbursement. For approved requests, the business processes must be able to do the following: edit, adjudicate, adjust, void, pay, and audit the request for reimbursement of covered Medicaid services. In cases of a retroactive reimbursement involving third party liability, the MCO may instruct the provider to resubmit the unpaid portion of the claims to the MCO for payment, if applicable.

MCOs must provide written notice of eligibility for retroactive reimbursement information in an enrollee welcome letter. The welcome letter must include the following policies and provide the date the request is due:

- ❖ Enrollees are eligible for reimbursement of medical expenses paid three months prior to the month of application if they requested retroactive coverage on their application and received approval.
- ❖ Enrollees are given 30 calendar days from the date of the welcome letter to contact the MCO to request consideration for reimbursement and provide the required documentation.
- ❖ An extension of up to 10 calendar days shall be granted if the extension is requested on or before the deadline. A second extension of no more than 10 additional calendar days should be granted if the extension is requested before the deadline of the first extension. No extensions shall be granted beyond this timeframe.

Changes to existing documents (e.g., policies, welcome letter templates) must be reviewed and approved by LDH in advance.

## Reimbursement Criteria

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Reimbursement shall be provided only under the following conditions:

- ❖ The enrollee is Medicaid eligible for the date of service.
- ❖ The MCO has verified that the provider is enrolled with the MCO on the date on which the enrollee received the service and is approved to provide the service rendered.
- ❖ The bills must be for services received on or after the Medicaid effective date through receipt of the initial Medicaid eligibility card (MEC) or reactivation of the MEC. Reactivation of the MEC would take place when an enrollee of Medicaid status has an interruption in coverage, reapplies and is certified for coverage in a qualifying Medicaid program. The certification period is usually twelve months.
- ❖ The enrollee has not received reimbursement from Medicaid or the Medicaid provider or received payment in full by a third-party entity.
- ❖ The medical bills must be for medical care, services, or supplies covered by Medicaid at the time that the service was delivered.
- ❖ The enrollee must provide proof of payment to the MCO. Bills which were paid in full by a third party (e.g., Medicare, an insurance company, charitable organization, family, or friend) cannot be considered for reimbursement unless the enrollee remains liable to the third party. It is a requirement that continuing liability of the enrollee be verified.

## Bills Not Eligible for Reimbursement

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- ❖ Unpaid bills - the enrollee should present his or her MEC to the provider along with the unpaid bill so that the provider can file a claim.
- ❖ Bills paid by the enrollee after receipt of the initial MEC or reactivation of the MEC.
- ❖ Bills paid to a non-Medicaid provider who does not participate in the Medicaid Program.
- ❖ DME purchased without documentation of medical necessity.
- ❖ Over-the-counter medications or supplies purchased without a prescription.
- ❖ Value-added benefits offered by the MCO.

## Reimbursements Involving Third Party Liability

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The MCO should use a cost comparison method for enrollee reimbursement requests involving third-party liability (TPL). The claim must first be processed by the primary payer. The TPL payment amount is provided on the explanation of benefits (EOB) sent by the primary payer. The reimbursement to the enrollee shall be the Medicaid allowed amount minus the TPL payment. If the TPL payment is greater than the Medicaid allowed amount, the reimbursement to the enrollee would be zero.

The MCO shall require enrollees to submit all of the required documentation listed below within the timeframes specified above.

## Required Documentation

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An enrollee seeking reimbursement must provide to the MCO a copy of the bill(s) or other acceptable verification which include(s) the following:

- ❖ Name of the individual who received the service,
- ❖ Name, address and phone number of the physician or facility providing the service,
- ❖ Date of service,
- ❖ Procedure and Diagnosis codes,
- ❖ Amount of billed charges and verification of payment,
- ❖ Receipts or other acceptable proof showing that the bill was paid by the Medicaid enrollee or someone else. If paid by someone else, proof that the eligible is still liable for repayment to the individual who paid the bill,
- ❖ Proof of payment by any Private Insurance - EOB, and, **if applicable**,
- ❖ If Durable Medical Equipment (DME) - dates of service, quantity, diagnosis and procedure codes, documentation of medical necessity from the provider, amount billed, amount enrollee paid, and verification of private insurance payments (EOB).
- ❖ If Dental - diagnosis and procedure codes per tooth.
- ❖ If Pharmacy - date prescription was filled, National Drug Code (NDC), quantity dispensed, and retail cash price if insurance or discount card was used or the amount paid by the third-party entity.

If the MCO determines that additional information is needed from the enrollee, the MCO shall mail a Recipient Verification Request Form to the enrollee within three business days of the receipt of the initial request.

The enrollee shall be allowed 15 days to provide the additional documentation and, upon request for additional time, be granted an extension. If an extension is requested, no more than 15 additional days shall be granted. Enrollees who fail to provide the requested documentation or fail to request an extension shall have the request for reimbursement denied.

## Processing Timeframes

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MCOs must follow established timeframes as required by the Contract. A reimbursement request is considered clean when the enrollee has timely submitted all requested documentation within the established timeframe; therefore, the MCO shall process the request within three months from the date of the request and mail a Notice of Decision Letter to the enrollee. If the request is denied, the notice must include a clear explanation of the reason(s) for ineligibility for reimbursement.

Requests received by the MCOs for reimbursement of payment for carved-out services must be submitted to LDH within five business days of receipt for processing by LDH.

## MANAGED CARE LINKAGE FOR LONG TERM CARE ENROLLEES

A managed care enrollee with a P-linkage who is subsequently certified in long term care (LTC) will be disenrolled from the P-linkage effective the last day of the month during which the enrollee is admitted to the nursing facility.

As eligibility dictates, the enrollee will be enrolled in a B-linkage effective the first day of the month following the enrollee's LTC certification.

This will provide continuity of care for enrollee's transitioning from post-acute skilled nursing facility rehabilitative care into LTC. This will also stabilize claims and reimbursement responsibilities.

## Claims Responsibility

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During the single transitional month where an enrollee is both in a P-linkage and certified in LTC, the MCO remains responsible for all managed care physical and behavioral health services that are not the responsibility of the nursing facility.

MCOs must have appropriate edits in place to ensure that they are not reimbursing the nursing facility for post-acute skilled nursing services under their "in lieu of" authority after the LTC certification begins.

The MCO will receive the LTC begin and end date and the nursing facility admit and discharge date on the 834 file (loop 2300 at HD03).

Medicaid fee-for-service (FFS) will maintain responsibility for nursing facility charges for LTC certified members (i.e., after the LTC begin date). The nursing facility, as provided for in the Louisiana Administrative Code, Title 50, Public Health - Medical Assistance, will be responsible for billing nursing facility covered services to FFS.

MCOs shall ensure that physician services are not reimbursed by the MCO after the LTC begin date as these are paid for in the per diem reimbursed by Medicaid FFS. Specifically, excluded physician services after the LTC certification begins include, but are not limited to, the following:

- ❖ Physician claims (claim type 04) for Personal Care Services (type of service is 10, procedure code is T1019 with a "UB," "UN" or "UP" modifier) for an enrollee that is linked to a LTC facility as of the date of service.
- ❖ Physician, Professional Crossover, or DME claims (claim type 04, 09 or 15) for a primary surgical dressing kit (procedure code is A4555) for an enrollee that is linked to a LTC facility as of the date of service.
- ❖ Physician claims (claim type 04) for medication monitoring or administration (procedure codes H0033, H0034, T1502, T1503) for an enrollee that is linked to a SNF, ICF-I, ICF-II or Community Hospice LTC facility (level of care is 20, 21, 22 or 88) as of the date of service.
- ❖ Physician claims (claim type 04) for therapy, evaluation or consultation services (procedure codes 97597, 97598, 97602, 97605-97608, 97610, 97113, 97161-97164, 97165-97168, 97169-97172, 92521-92522, 92523, 92524, 97110, 97112, 97113, 97116, 97124, 97139, 97140, 97150, 92526, 97010, 97012, 97014, 97016, 97018, 97022, 97024, 97026, 97028, 97032-97039, 97760-97762, 97764, 97799, 97082-97084, 98925-98929, 98941-98943, G0151, G0152, G0153, G0155, G0156, G0157, G0158, G0159, G0160, G0161, G0162) for an enrollee that is linked to an ICF/IID LTC facility (level of care is 26, 41, 42, 43 or 44) as of the date of service.
- ❖ Physician claims (claim type 04) for certain first aid supplies (procedure codes A4244, A4246, A4204, A4454, A4200, A4202, A4205, A4555, A4357, A5114, B4081) for an enrollee that is linked to a LTC facility that is not an Adult Day Care (level of care is not 27) as of the date of service.

## Disenrollment Notification

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P-linkage disenrollment information and B-linkage enrollment will be transmitted to the MCO in the daily 834 file with disenrollment codes 931 and 932.

❖ Code 931 example:

- Enrollee has an 8/1/2017 plan start date with a P-linkage.
- Enrollee was certified in LTC with a 7/2/2017 date of admission.
- Code 931 will be used to void the 8/1/2017 plan start date and transfer the enrollee into B-linkage with an 8/1/2017 plan start date.

❖ Code 932 example:

- Enrollee has a 2/1/2016 plan start date with a P-linkage.
- Enrollee was certified in LTC with an 8/2/2017 date of admission.
- Code 932 will be used to close the 2/1/2016 plan start date with an 8/31/2017 end date and transfer the enrollee into B-linkage with a 9/1/2017 plan start date.

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## PART 4: SERVICES

The Louisiana Medicaid State Plan establishes the services covered as well as reimbursement methodologies for Medicaid FFS. State Plan services are broad categories (e.g., physician services, hospital services), and the Medicaid FFS fee schedule operationalizes that coverage. In accordance with 42 C.F.R. §438.210, the MCO must provide for coverage of services that is no more restrictive in amount, scope, and duration than is covered in Medicaid FFS.

Compared with Medicaid FFS, the MCO has the flexibility to cover services in a *greater* amount, scope, or duration, or to an *expanded* patient group, if deemed medically necessary. Nothing herein shall be construed by the MCO to limit coverage to only those procedure codes listed on the Medicaid FFS fee schedules. Within the broad State Plan categories, the MCO has the flexibility to reimburse for procedure codes not on the Medicaid FFS fee schedules when medically necessary. For those services not covered under the State Plan, the Contract identifies requirements for in-lieu-of services and value-added benefits that the MCO may offer. The MCO shall consult LDH with any questions about these requirements.

**Further, federal law mandates that enrollees under 21 years of age are entitled to receive all medically necessary health care, screening, diagnostic services, treatment, and other measures to correct or improve physical or mental conditions (Section 1905(r) of the Social Security Act).** The Early and Periodic Screening, Diagnostic and Treatment (EPSDT) benefit is comprehensive in nature and includes coverage of all services described in federal Medicaid statutes and regulations including those that are not covered for adults, not explicitly described in the Contract, not included in the Medicaid FFS fee schedules, and not covered in the Louisiana Medicaid State Plan. The MCO shall consult LDH with any questions about these requirements.

This section defines minimum coverage and reimbursement policies for select services only and does not represent an exclusive list of covered services. Unless otherwise agreed to by the MCO and its contracted providers, the Medicaid FFS fee schedule establishes the minimum reimbursement rates for services rendered to enrollees. Any references herein to a minimum reimbursement rate shall include the exception that the MCO may contract with its providers to reimburse the service at a lower rate, if the contracting parties agree.

The MCO shall develop and maintain comprehensive provider manuals customized to the Louisiana Medicaid managed care program that are in alignment with this Manual and inclusive of all applicable MCO-established policies. The MCO shall not include references to the **Medicaid Services Manual** or this Manual in lieu of maintaining its own comprehensive provider manuals. The MCO shall make coverage decisions in alignment with its own provider manuals, with the policies in this section, and with the Contract.

The MCO shall update its provider manuals in a timely manner and be responsive to provider questions or concerns.

### MCO COVERED SERVICES

Services for which LDH has established specific minimum coverage and reimbursement policies are noted below with an asterisk (\*) when included in this Manual. Outside of this Manual, certain services for which LDH has established minimum coverage and reimbursement policies are located in the **Medicaid Services Manual**, as notated below. Policies for in-lieu of services and value-added benefits are not included in this section.

❖ Physical Health Services

- Allergy Testing and Allergen Immunotherapy\*
- Ambulatory Surgical Services\*
- Anesthesia\*
- Applied Behavior Analysis Therapy (age 0-20) (Refer to **Medicaid Services Manual**, Applied Behavior Analysis)
- Audiology Services
- Bariatric Surgery\*
- Breast Surgery\*
- Chiropractic Services\* (age 0-20)
- Cochlear Implant\* (age 0-20)
- Diabetes Self-Management Training\*
- Durable Medical Equipment, Prosthetics, Orthotics and Certain Supplies (Refer to **Medicaid Services Manual**, Durable Medical Equipment)
- Early Periodic Screening, Diagnostic, and Treatment (EPSDT) Services\* (age 0-20)
- Emergency Services\*
- End Stage Renal Disease Services (Refer to **Medicaid Services Manual**, End Stage Renal Disease)
- Eye Care and Vision Services\*
- Family Planning Services\*
- Federally Qualified Health Center (FQHC)/Rural Health Clinic (RHC) Services (Refer to **Medicaid Services Manual**, Federally Qualified Health Centers, Rural Health Clinics)
- Genetic Testing\*
- Glasses, Contacts, and Eye-Wear (Refer to **Medicaid Services Manual**, Vision)
- Gynecology\*
- Home Health-Extended Services (age 0-20) (Refer to **Medicaid Services Manual**, Home Health)
- Home Health Services\*
- Hospice Services (Refer to **Medicaid Services Manual**, Hospice)
- Hospital Services\*
  - Inpatient Hospital Services\*
  - Outpatient Hospital Services\*
- Hyperbaric Oxygen Therapy\*
- Immunizations\*
- Intrathecal Baclofen Therapy\*
- Laboratory and Radiology Services\*
- Limited Abortion Services\*
- Medical Transportation Services\*
- Newborn Care and Discharge\*
- Obstetrics\*
- Pediatric Day Healthcare Services (age 0-20) (Refer to **Medicaid Services Manual**, Pediatric Day Health Care)
- Personal Care Services\* (age 0-20) (Refer to **Medicaid Services Manual**, Personal Care Services. Refer to this Manual for policies specific to EVV.)
- Pharmacy Services\*
- Physician Administered Medication\*

- Physician/Professional Services\*
- Podiatry Services
- Preventive Services for Adults\* (age 21 and older)
- Sterilization\*
- Telemedicine/Telehealth\*
- Therapy Services\*
- Tobacco Cessation Services
- Vagus Nerve Stimulators\*
- ❖ Behavioral Health Services
  - Basic Behavioral Health Services\*: Services provided through primary care, including, but not limited to, screening for mental health and substance use issues, prevention, early intervention, medication management, and treatment and referral to specialty services.
  - Specialized Behavioral Health Services (Refer to the Behavioral Health Services Provider Manual chapter of the **Medicaid Services Manual** and its appendices for all specialized behavioral health services.)
    - Licensed Practitioner Outpatient Therapy
      - Parent-Child Interaction Therapy (PCIT)
      - Child Parent Psychotherapy (CPP)
      - Preschool PTSD Treatment (PPT) and Youth PTSD Treatment (YPT)
      - Triple P Positive Parenting Program
      - Trauma-Focused Cognitive Behavioral Therapy
      - Eye Movement Desensitization and Reprocessing (EMDR) Therapy
    - Mental Health Rehabilitation Services
      - Community Psychiatric Support and Treatment (CPST)
        - Multi-Systemic Therapy (MST) (age 0-20)
        - Functional Family Therapy (FFT) and Functional Family Therapy-Child Welfare (age 0-20)
        - Homebuilders® (age 0-20)
        - Assertive Community Treatment (age 18 and older)
      - Psychosocial Rehabilitation (PSR)
      - Crisis Intervention
      - Crisis Stabilization (age 0-20)
    - Therapeutic Group Homes (TGH) (age 0-20)
    - Psychiatric Residential Treatment Facilities (PRTF) (age 0-20)
    - Inpatient Hospitalization (age 0-21; 65 and older)
    - Outpatient and Residential Substance Use Disorder Services
    - Opioid Treatment Program

## Out-of-State Medical Care

The MCO shall cover medically necessary services to enrollees provided outside of the state when any of the following conditions are met:

- ❖ Medical services are needed because of a medical emergency;

- ❖ Medical services are needed and the enrollee's health would be endangered if the enrollee were required to travel to the enrollee's state of residence;
- ❖ The MCO determines, on the basis of medical advice, that the needed medical services, or necessary supplementary resources, are more readily available in the other state; or
- ❖ It is general practice for enrollees in a particular locality to use medical resources in another state.

The MCO shall prior authorize all non-emergency out-of-state care.

## IN LIEU OF SERVICES

Placeholder.

## VALUE-ADDED BENEFITS

The MCO shall identify value-added benefits (VAB) in encounter data in accordance with the **MCO System Companion Guide**. The MCO shall also report VAB in financial data in accordance with the **Financial Reporting Guide**.

Enrollee incentives may be offered as a form of VAB to promote health behavior. Examples of permissible incentives include health care items or services (e.g., blood sugar screenings, cholesterol tests, medic alert jewelry) and non-health care items or services (e.g., gift certificates, t-shirts, infant car seats). Cash or instruments convertible to cash are not permissible. Financial incentives that do not incentivize preventive care shall not exceed \$75 in total per enrollee per year.

The MCO may amend VAB subject to the requirements and timeframes specified in the Contract. When requesting such revisions, the MCO should provide the following information for each VAB to LDH:

- ❖ Type of request (e.g., new, removal, revision);
- ❖ VAB name;
- ❖ VAB description;
  - If a revision to an existing VAB, include a summary of the change;
- ❖ Category or group of enrollees eligible to receive the VAB if it is not appropriate for all enrollees;
- ❖ Any limitations or restrictions that apply;
- ❖ Types of providers responsible for providing the benefit or service, including any limitations on provider capacity if applicable;
- ❖ How and when providers and enrollees will be notified about the availability of such VAB;
- ❖ How an enrollee may obtain or access the VAB;
  - If a new financial incentive, include the mechanism itself (e.g., gift card, prepaid debit card) and confirmation that it is not convertible to cash;
- ❖ How the VAB will be identified in administrative data or encounter data;
- ❖ PMPM actuarial value; and
- ❖ Effective date.

The MCO shall also provide the PMPM actuarial value and statement of commitment on an annual basis in accordance with the Contract.

## PROHIBITED AND NON-COVERED SERVICES

The MCO shall ensure that physicians and all other professionals abide by the professional guidelines set forth by their certifying and licensing agencies in addition to complying with Louisiana Medicaid regulations.

In general, services that are not approved by the Food and Drug Administration or services that are experimental, investigational, or cosmetic are excluded from Medicaid coverage and will be deemed not medically necessary.

The following non-exhaustive list of services excluded from MCO covered services and/or otherwise limited by Louisiana Medicaid shall be reflected in the MCO's coverage policy:

- ❖ Any service (drug, device, procedure, or equipment) that is not medically necessary;
- ❖ Experimental/investigational drugs, devices, procedures, or equipment, unless approved by the Secretary of LDH;
- ❖ Cosmetic drugs, devices, procedures, or equipment;
- ❖ Assistive reproductive technology for treatment of infertility;
- ❖ Elective abortions (those not covered in the Louisiana Medicaid State Plan) and related services;
- ❖ Surgical procedures discontinued before completion;
- ❖ Harvesting of organs when a Louisiana Medicaid enrollee is the donor of an organ to a non-Medicaid enrollee; and
- ❖ Provider preventable conditions, described below.

### Provider Preventable Conditions

Louisiana Medicaid is mandated to meet the requirements of 42 C.F.R. §447.26 with respect to non-payment for provider preventable conditions (PPCs). The MCO is required to implement procedures for non-payment for these events when applicable to its enrollees.

PPCs are defined into two separate categories:

- ❖ Health care-acquired condition (HCAC), meaning a condition occurring in any inpatient hospital setting, identified as a hospital acquired condition (HAC) in accordance with 42 C.F.R. §447.26; and
- ❖ Other provider preventable condition (OPPC), meaning a condition occurring in any health care setting in accordance with 42 C.F.R. §447.26.

The MCO shall not impose a reduction in reimbursement for a PPC when the condition defined as a PPC for a particular enrollee existed prior to the initiation of treatment for the enrollee by that provider.

Reductions in provider reimbursement may be limited to the extent that the following apply:

- ❖ The identified PPCs would otherwise result in an increase in reimbursement.
- ❖ It is practical to isolate for non-payment the portion of the reimbursement directly related to treatment for, and related to, the PPC.

Non-payment of PPCs shall not prevent access to services for Medicaid enrollees.

## Health Care-Acquired Conditions

Refer to the CMS website for the current listing of HACs and associated diagnoses [\[link\]](#).

NOTE: Louisiana Medicaid considers HACs as identified by Medicare, other than deep vein thrombosis (DVT)/pulmonary embolism (PE) following total knee replacement or hip replacement surgery in pediatric and obstetric patients.

It is the responsibility of the MCO to determine if the HCAC was the cause for any additional days added to the length of stay. The MCO may not reimburse for services related to HCAC.

Medicaid will require the Present-on-Admission (POA) indicators as listed below with all reported diagnosis codes. POA is defined as present at the time the order for inpatient admission occurs. Conditions that develop during an outpatient encounter, including emergency department, observation or outpatient surgery, are considered as present on admission.

Present on Admission Reporting Options:

Code	Definition
Y	Present at the time of inpatient admission
N	Not present at the time of inpatient admission
U	Documentation is insufficient to determine if condition is present on admission
W	Provider is unable to clinically determine whether condition was present on admission or not

Refer to the CMS website for the current listing of diagnoses that are exempt from POA reporting requirements [\[link\]](#).

## Other Provider Preventable Conditions

MCOs are prohibited from reimbursing providers for the following OPPCs in any setting:

- ❖ Wrong surgical or other invasive procedure performed on a patient;
- ❖ Surgical or other invasive procedure performed on the wrong body part; or
- ❖ Surgical or other invasive procedure performed on the wrong patient.

The MCO shall not reimburse for any days that are attributable to the OPPC. The diagnosis codes that are utilized for the three OPPCs listed above are included below.

- ❖ Y65.51 — Performance of wrong operation (procedure) on correct patient (existing code)
- ❖ Y65.52 — Performance of operation (procedure) on patient not scheduled for surgery
- ❖ Y65.53 — Performance of correct operation (procedure) on wrong side/body part

## Outpatient Hospital Claims

In the event an outpatient surgery is performed erroneously, as described below, the appropriate modifiers to all lines related to the erroneous surgery/procedure are:

- ❖ PC: Wrong Surgery on Patient;
- ❖ PB: Surgery Wrong Patient; or
- ❖ PA: Surgery Wrong Body Part;

In summary, it is the responsibility of the provider to identify and report (through the UB-04) any PPC and not seek reimbursement from Medicaid for any additional expenses incurred as a result of the PPC. The MCO may disallow or reduce provider reimbursements based on a post-payment review of the medical record.

It is the responsibility of the MCO to ensure that reimbursement is not made for any expense as a result of a PPC.

## **AMBULATORY SURGICAL SERVICES**

The MCO shall cover ambulatory surgical services, defined as surgical services where patients do not require hospitalization and in which the expected duration of services would not exceed 24 hours. Ambulatory surgical services can be provided in non-hospital ambulatory surgical centers and outpatient hospitals.

### **Ambulatory Surgical Centers (Non-Hospital)**

#### **Covered Services**

The MCO shall cover medically necessary, preventive, diagnostic, therapeutic, rehabilitative or palliative services furnished to an outpatient by or under the direction of a physician or dentist in a free-standing facility which is not part of a hospital but which is organized and operated to provide medical care to enrollees.

ASC services are items and services furnished by an outpatient ASC in connection with a covered surgical procedure. Covered services include, but are not limited to the following:

- ❖ Nursing, technician, and related services;
- ❖ Use of an ambulatory surgical center;
- ❖ Lab and radiology, drugs, biologicals, surgical dressings, splints, casts, appliances, and equipment directly related to the provision of the surgical procedure;
- ❖ Diagnostic or therapeutic services or items directly related to the provision of a surgical procedure;
- ❖ Administrative, record keeping, and housekeeping items and services;
- ❖ Materials for anesthesia;
- ❖ Intraocular lenses; and
- ❖ Supervision of the services of an anesthetist by the operating provider.

#### **Exclusions**

ASC services do not include items and services for which reimbursement may be made under other, separate, programs. ASC services do not include:

- ❖ Professional services;
- ❖ Lab and radiology services not directly related to the surgical procedure;
- ❖ Diagnostic procedures (other than those directly related to performance of the surgical procedure);
- ❖ Prosthetic devices (except intraocular lens implants);
- ❖ Ambulance services;
- ❖ Leg, arm, back, and neck braces;
- ❖ Artificial limbs; and
- ❖ Durable medical equipment for use in the enrollee's home.

## Provider Requirements

The MCO shall ensure that ASCs have an agreement with the Centers for Medicare and Medicaid Services (CMS) in accordance with 42 C.F.R. §416.30 and that ASCs are licensed and certified by Louisiana's licensing and certification agency.

The MCO's policy shall include the directive that the ASC must have a system to transfer enrollees requiring emergency admittance or overnight care to a fully licensed and certified hospital following any surgical procedure performed at the facility.

## Reimbursement

The MCO shall reimburse ASCs a flat fee per service. The minimum reimbursement shall be in accordance with the four payment groups specified in the Louisiana Medicaid Ambulatory Surgical Centers (Non-Hospital) Fee Schedule.

The flat fee reimbursement is for facility charges only, which covers all operative functions associated with the performance of a medically necessary surgery while the enrollee is in the center including the following:

- ❖ Admission;
- ❖ Patient history and physical;
- ❖ Laboratory tests;
- ❖ Operating room staffing;
- ❖ Recovery room charges; and
- ❖ All supplies related to the surgical care of the enrollee and discharge.

The flat fee excludes reimbursements for professional services (e.g., the provider performing the surgery, dentists, anesthesiologists, radiologists, or osteopaths).

For those surgical procedures not included in the payment groupings, the minimum reimbursement is the flat fee for the service specified on the Louisiana Medicaid Ambulatory Surgical Centers (Non-Hospital) Fee Schedule.

Only one procedure code may be reimbursed per outpatient surgical session.

## Outpatient Hospital Ambulatory Surgery

The MCO shall cover certain ambulatory surgical procedures if they are performed in the outpatient hospital setting. The MCO shall reimburse hospitals for the performance of these outpatient surgical procedures on a flat-fee per service basis.

The MCO shall require hospitals to bill all outpatient surgery charges for the specified surgeries using revenue code "490" — Ambulatory Surgery Care. All other charges associated with the surgery (e.g., observation, labs, radiology) must be billed on the same claim as the ambulatory surgery charges. The only revenue code that will be paid will be the flat rate fee for the ambulatory surgery. The minimum reimbursement rate for groupings can be found on the Louisiana Medicaid Outpatient Hospital Ambulatory Surgery Fee Schedules. A list of the surgical procedures is also provided on the fee schedule.

For minor surgeries that are medically necessary to be performed in the hospital operating room but the associated CPT code is not included in the Louisiana Medicaid Outpatient Hospital Ambulatory Surgery Fee Schedules, the MCO shall require hospitals to bill using revenue code HR361 - Operating Room Services-Minor Surgery.

When more than one surgical procedure is performed on the same date of service, the MCO shall pay only the primary surgical procedure.

## BEHAVIORAL HEALTH SERVICES

Basic behavioral health services are mental health and substance use services which are provided to enrollees with emotional, psychological, substance use, psychiatric symptoms and/or disorders that are provided in the enrollee's primary care physician (PCP) office by the enrollee's PCP as part of primary care service activities.

Specialized behavioral health services are mental health services and substance use/addiction disorder services, specifically defined in the Louisiana Medicaid State Plan and/or applicable waivers. These services are administered under LDH authority in collaboration with the MCOs, as well as through the Coordinated System of Care (CSoC) program contractor, for CSoC enrollees. The MCO shall comply with the Behavioral Health Services Provider Manual chapter of the **Medicaid Services Manual**.

The MCO shall screen enrollees to determine level of need for the purpose of service authorization based on medical necessity. Based on this medical necessity determination, the MCO shall authorize specialized behavioral health services as appropriate.

Services shall be managed to promote utilization of best, evidence-based and informed practices and to improve access and deliver efficient, high quality services.

Criteria for screening protocols and determining whether an individual meets the criteria for specialized behavioral health services may be determined by LDH and are based on factors relating to age, diagnosis, disability (acuity) and duration of the behavioral health condition.

For individuals screened and considered to be in need of substance use services, the ASAM 6 Dimension risk evaluation shall be used to determine appropriate placement in substance use withdrawal management or treatment levels of care.

Screening for services, including the Coordinated System of Care, shall take place while the youth resides in a home and community-based setting and is at risk for hospital levels of care. The MCO shall ensure (either using care management protocols or by ensuring appropriate, proactive discharge planning by contracted providers) the screening takes place while a youth resides in an out-of-home level of care (such as inpatient, PRTF, SUD residential treatment or TGH) and is prepared for discharge to a home and community-based setting. For settings such as PRTF and TGH with lengths of stay allowing sufficient time for comprehensive and deliberate discharge and aftercare planning, the MCO shall ensure that screening for CSoC takes place at least 30 days and up to 90 days prior to the anticipated discharge date. If CSoC screening shows appropriateness, referral to CSoC up to 90 days prior to discharge from a residential setting shall occur, as it is expected to assist in comprehensive discharge and treatment planning, prevent disruption, and improve stabilization upon reentry to a home and community environment.

# Emergency Certificates for Inpatient or Residential Behavioral Health Services

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This section provides guidance relative to implementation of Act 390 of the 2015 Regular Legislative Session relative to reimbursement for inpatient/residential behavioral health services for persons admitted to treatment under an emergency certificate. Emergency certificates are inclusive of Physician's Emergency Certificates, Coroner's Emergency Certificates, and Judicial Certificates.

The MCO is required to pay claims for behavioral health services provided to enrollees committed under an emergency certificate to an inpatient or residential facility regardless of medical necessity. This payment requirement shall be for a maximum period of 24 hours from the time of admission to the inpatient or residential facility, as long as the following conditions are met:

- ❖ The admitting physician and the evaluating psychiatrist or medical psychologist shall offer the subject of the emergency certificate the opportunity for voluntary admission; and
- ❖ Any person committed under an emergency certificate shall be evaluated by a psychiatrist or medical psychologist in the admitting facility within 24 hours of arrival at the admitting facility.

After the psychiatric evaluation has been completed, payment of claims shall be determined by medical necessity. If the subject of the emergency certificate does not receive a psychiatric evaluation within the required timeframe, the MCO is only required to pay behavioral health claims within the first 24 hours of admission. Payment for any subsequent claim shall be determined by medical necessity.

Reimbursement under this Act is limited to behavioral health claims and usual and customary laboratory services necessary to monitor patient progress. The MCO is not responsible for payment of non-behavioral health service claims which fail to meet medical necessity criteria.

Refer to the following links for statutory requirements for admission by emergency certificate or judicial commitment and voluntary admission:

- ❖ Admission under emergency certificate [\[link\]](#)
- ❖ Judicial commitment [\[link\]](#)
- ❖ Formal voluntary admission [\[link\]](#)

Forms for emergency certificates, judicial commitments, and voluntary admissions are promulgated through the Office of Behavioral Health on the LDH website [\[link\]](#) as follows:

- ❖ OBH 1 – Physician's emergency certificate
- ❖ OBH 1A – Psychologist's emergency certificate
- ❖ OBH 2 – Coroner's emergency certificate
- ❖ OBH 11 – Petition for judicial commitment (hospital/facility)
- ❖ OHB 143 – Physician's certificate for minors
- ❖ OBH 7 - Formal voluntary admission

## Pre-Admission Screening and Resident Review

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All persons seeking admission to a Medicaid certified nursing home are required to complete a preadmission screen (PAS/Level I) prior to admission and send it to LDH's Office of Aging and Adult Services (OAAS). Those identified as suspected of having a mental illness are referred by OAAS to the Office of Behavioral Health (OBH)-Pre-Admission Screening and Resident Review (PASRR) for a Level II determination.

OBH-PASRR refers all enrollees for an independent evaluation to their respective MCO if a face-to-face evaluation was deemed necessary to determine the enrollee's need for nursing home admission and services. MCOs shall adhere to the contract requirements related to the staffing and implementation of the PASRR Level II evaluation process.

In accordance with PASRR operations, MCOs must submit the PASRR Level II evaluation to OBH-PASRR for a final determination. Complete and thorough Level II evaluations should be submitted to OBH-PASRR and should include the following information:

- ❖ A comprehensive history and physical that includes complete medical history; review of all bodily systems; specific evaluations of the person's neurological system in the areas of motor functioning, sensory functioning, gait, deep tendon reflexes, cranial nerves and abnormal reflexes; and in the case of abnormal findings which are the basis of nursing home placement, additional evaluations conducted by appropriate specialists.
- ❖ A comprehensive drug history including current or immediate past use of medications that could mask symptoms or mimic mental illness, side effects or allergies.
- ❖ A psychosocial evaluation.
- ❖ A comprehensive psychiatric evaluation including a complete psychiatric history; evaluation of intellectual functioning, memory functioning and orientation; description of current attitudes and overt behaviors, affect, suicidal or homicidal ideation, paranoia and degree of reality testing (presence of content of delusions); and hallucinations.
- ❖ Records that speak to the reason for nursing home placement, including documentation to support categorical determinations (i.e., terminal illness, severe physical illness, or any illness where the individual is not likely to benefit from a specialized behavioral health service).
- ❖ If there is an indication of dementia within the records, include corroborative testing or other information available to verify the presence of progression of the dementia (i.e., dementia work up, Comprehensive Mental Status Exam).

MCOs should ensure the appropriate linkage of individuals referred through the PASRR Level II process to case management and services regardless of the final determination of placement into a nursing facility, in accordance with processes outlined within the **DOJ Compliance Guide**. Additionally, the MCOs shall maintain appropriate records and utilize the LDH-identified templates.

## Specialized Behavioral Health Evidence-Based Practice Programs

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The providers of Functional Family Therapy (FFT), Multi-Systemic Therapy (MST), and Homebuilders maintain fidelity monitoring as part of their certification/credentialing process. The MCO shall maintain Memorandums of

Understanding (MOUs) with the fidelity monitoring agencies for FFT, MST, and Homebuilders. The MOUs outline a collaborative protocol between the MCO and the monitoring agencies to ensure the appropriate exchange of fidelity reports and other quality reports.

The MCO shall manage the fidelity monitoring process for Assertive Community Treatment (ACT) providers to ensure at least minimum fidelity standards are met utilizing the LDH-specified ACT monitoring tool. The MCO shall utilize a fidelity-monitoring process agreed upon across MCOs and LDH to ensure a single process is implemented for providers across networks. Additionally, MCOs shall ensure their staff are properly trained on utilization of the identified ACT monitoring tool in order to appropriately evaluate the ACT provider's adherence to best practices.

## EMERGENCY SERVICES

### Emergency Medical Services

The MCO shall provide that emergency services, including those for specialized behavioral health, be rendered without the requirement of prior authorization of any kind. The MCO must cover and pay for emergency services regardless of whether the provider that furnishes the emergency services is part of the MCO's provider network. If an emergency medical condition exists, the MCO is obligated to pay for the emergency service.

The MCO shall advise its enrollees of the provisions governing in and out-of-service area use of emergency services as defined in the Contract.

The MCO shall not deny payment for treatment when a representative of the organization instructs the enrollee to seek emergency services.

The MCO shall not deny payment for treatment obtained when an enrollee had an emergency medical condition as defined in 42 C.F.R. §438.114(a).

The attending emergency physician, or the provider actually treating the enrollee shall determine when the enrollee is sufficiently stabilized for transfer or discharge and that determination is binding on the MCO for coverage and payment of emergency and post-stabilization services.

The MCO shall be responsible for educating enrollees and providers regarding appropriate utilization of ED services, including behavioral health emergencies.

The MCO shall monitor emergency services utilization by enrollees (by provider) and address inappropriate emergency department utilization.

An enrollee who has an emergency medical condition may not be held liable for payment of subsequent screening and treatment needed to diagnose the specific condition or stabilize the patient.

### Post-Stabilization Services

As specified in 42 C.F.R. §438.114(e) and 42 C.F.R. §422.113(c)(2)(i), (ii) and (iii), the MCO must cover and pay for post-stabilization care services obtained within or outside the MCO's network that are:

- ❖ Pre-approved by a network provider or other MCO representative; or

- ❖ Not preapproved by a network provider or other MCO representative, but:
  - Administered to maintain the enrollee's stabilized condition within one hour of a request to the MCO for pre-approval of further post-stabilization care services or
  - Administered to maintain, improve or resolve the enrollee's stabilized condition if the MCO:
- ❖ Does not respond to a request for pre-approval within one hour;
- ❖ Cannot be contacted; or
- ❖ The MCO's representative and the treating physician cannot reach an agreement concerning the enrollee's care and a network physician is not available for consultation. In this situation, the MCO must give the treating physician the opportunity to consult with a network physician and the treating physician may continue with care of the patient until a network physician is reached or one of the criteria of (422.133(c)(3)) is met.

The MCO's financial responsibility for post-stabilization care services that it has not pre-approved ends when:

- ❖ A network physician with privileges at the treating hospital assumes responsibility for the enrollee's care;
- ❖ A network physician assumes responsibility for the enrollee's care through transfer;
- ❖ A representative of the MCO and the treating physician reach an agreement concerning the enrollee's care; or
- ❖ The enrollee is discharged.

## Emergency Ancillary Services Provided at the Hospital

Emergency ancillary services which are provided in a hospital include, but are not limited to, radiology, laboratory, emergency medicine and anesthesiology. The MCO shall reimburse the professional component of these services at a rate equal to or greater than the published Medicaid FFS rate in effect on the date of service to in-network providers when an MCO authorizes these services (either in-patient or outpatient). Emergency ancillary services rendered by non-network providers in a hospital setting shall be reimbursed at the published Medicaid fee schedule in effect on the date of service.

## HOSPITAL SERVICES

A hospital is defined as any institution, place, building, or agency, public or private, whether for profit or not, maintaining and operating facilities, 24-hours a day, seven days a week, having 10 licensed beds or more. The hospital must be properly staffed and equipped for the diagnosis, treatment and care of persons admitted for overnight stay or longer who are suffering from illness, injury, infirmity, or deformity or other physical or mental conditions for which medical, surgical, and/or obstetrical services would be available and appropriate.

An inpatient or outpatient hospital may be the service location for many of the services that are described within the *Services* section of this Manual. Unless otherwise detailed within the *Hospital Services* subsection, the MCO shall refer to the guidelines and requirements for those specific services as provided within this Manual.

The MCO must ensure that hospitals participating in its network meet all applicable certification and licensing requirements issued by the state in which they are located. The LDH Health Standards Section (HSS) is the only licensing authority for hospitals in the state of Louisiana.

As described in the Contract, the MCO's rate of reimbursement shall be no less than the published Medicaid FFS rate in effect on the date of service or that is contained on the weekly procedure file sent to the MCO by the fiscal intermediary, or its equivalent, unless mutually agreed to by both the MCO and the provider in the provider agreement.

## General Policies

### Inpatient vs. Outpatient Services

- ❖ The MCO must ensure that inpatient services are not reimbursed as outpatient, even if the stay is less than 24 hours. Federal regulations are specific in regard to the definition of both inpatient and outpatient services. The following requirements apply:
  - All outpatient services except outpatient therapy performed within 24 hours of an inpatient admission shall be included on the inpatient claim.
  - All outpatient services except outpatient therapy performed within 24 hours before an inpatient admission and 24 hours after the discharge shall be included on the inpatient claim. This includes outpatient services that are either related or unrelated to the inpatient stay.
  - If an inpatient in one hospital has outpatient services performed at another hospital, the inpatient hospital is responsible for reimbursing the hospital providing the outpatient services. The inpatient hospital may reflect the outpatient charges on its claim.
- ❖ If an enrollee is treated in the emergency room and requires surgery, which cannot be performed for several hours because arrangements need to be made, the services may be billed as outpatient provided the enrollee is not admitted as an inpatient.
- ❖ Physicians responsible for an enrollee's care at the hospital are responsible for deciding whether the enrollee is to be admitted as an inpatient. Physicians should use a 24-hour period as a benchmark, i.e., they should order admission for enrollees who are expected to need hospital care for 24 hours or more, and treat other patients on an outpatient basis. However, the decision to admit a patient is a complex medical judgment, which can be made only after the physician has considered a number of factors. Admissions of particular enrollees are not covered or non-covered solely on the basis of the length of time the enrollee actually spends in the hospital.
- ❖ The MCO will reimburse up to 48 hours when medically necessary for an enrollee to be in an outpatient status. This time frame is for the physician to observe the enrollee and to determine the need for further treatment, admission to an inpatient status or for discharge. If the enrollee is admitted as an inpatient, the admit date will go back to the beginning of the outpatient services.

### Discharge Clarification

The MCO shall consider an inpatient or outpatient to be discharged from the hospital and paid under the prospective payment system (PPS) when:

- ❖ The enrollee is formally discharged from the hospital; or
- ❖ The enrollee dies in the hospital.

Non-medically necessary circumstances are not considered in determining the discharge time; therefore, the MCO shall not reimburse hospitals under these circumstances (e.g., enrollee does not have a ride home, does not want to leave, etc.).

If non-medical circumstances arise and cause the enrollee to stay in the hospital after he/she is discharged, and the hospital is not reimbursed for the post-discharge portion of the stay, the enrollee may be billed but only after hospital personnel have informed him/her that Medicaid will not cover that portion of the stay.

If the enrollee is readmitted to a different hospital than the discharging hospital on the same day as discharge, the readmitting hospital must enter the name of the discharging hospital, as well as the discharge date, in the appropriate field on the UB-04 claim form.

NOTE: Hospitalized beneficiaries are covered by the type coverage in effect at the time of admission, either FFS or MCO, until discharge. For example, if a FFS beneficiary is hospitalized on December 31 at 12:00 am but is enrolled in an MCO effective January 1, the hospitalization is covered by FFS.

**Hospital Services Furnished Under Arrangements**

Hospitals are allowed by Medicaid to contract or make arrangements with an outside supplier, including another provider such as an independent laboratory, for performance of medically necessary services for their patients. It is the responsibility of the hospital to ensure that the outside supplier or other provider meets all applicable state and federal requirements.

When a hospital contracts with an outside supplier or another provider for the performance of a routine service or ancillary provider component (technical component of a service), the supplier/provider bills the hospital and is paid by the hospital. Only the hospital is allowed to submit claims to the MCO for services furnished under this arrangement. The services are covered hospital services and reimbursement is included in the hospital reimbursement rates. The MCO may not separately reimburse the outside supplier for services performed on enrollees who are hospital patients. This policy applies to both inpatient and outpatient hospital services.

**Trade Area**

Acute care out-of-state providers in the trade area are treated the same as in-state providers. Trade area is defined as the counties located in Mississippi, Arkansas, and Texas that border the state of Louisiana.

The following is a list of counties located in the trade area:

Louisiana Trade Area		
Arkansas Counties	Mississippi Counties	Texas Counties
Chicot County	Hancock County	Cass County
Ashley County	Pearl River County	Marion County
Union County	Marion County	Harrison County
Columbia County	Walthall County	Panola County

Louisiana Trade Area		
Arkansas Counties	Mississippi Counties	Texas Counties
Lafayette County	Pike County	Shelby County
Miller County	Amite County	Sabine County
	Wilkerson County	Newton County
	Adams County	Orange County
	Jefferson County	Jefferson County
	Claiborne County	
	Washington County	
	Issaquena County	
	Warren County	

A referral or transfer made by a trade area hospital to another hospital does not constitute approval unless it is to either a Louisiana hospital or another trade area hospital. Prior authorization is required for all other non-emergency referrals or transfers.

## Inpatient Hospital Services

Inpatient hospital care is defined as care needed for the treatment of an illness or injury which can only be provided safely and adequately in a hospital setting and includes those basic services that a hospital is expected to provide. The MCO shall not reimburse for care that can be provided in the home or for which the primary purpose is of a custodial or cosmetic nature.

The following requirements are applicable to hospital inpatient services. The MCO must ensure that its policies are in alignment with the requirements described below:

- ❖ Inpatient hospital services must be ordered by the following:
  - Attending physician, or other licensed and qualified health care provider;
  - An emergency room physician; or
  - Dentist (if the patient has an existing condition which must be monitored during the performance of the authorized dental procedure).
- ❖ Each day of an inpatient stay must be medically necessary.
- ❖ Physicians responsible for an enrollee's care at the hospital are responsible for deciding whether the enrollee should be admitted as an inpatient. Place of treatment must be based on medical necessity.
- ❖ The MCO shall require prior authorization for out-of-state non-emergency hospitalization, unless the request for hospitalization is for a dual Medicare/Medicaid eligible enrollee. Additional service authorization requirements and exclusions are defined in the Contract.

## Abortions

For detailed requirements around abortions, see the corresponding section in the *Professional Services* section of this Manual.

Hospital claims associated with an induced abortion, and those of the attending physician, hospital, assistant surgeon, and anesthesiologist, as applicable, shall be accompanied by a copy of the attending physician's written certification of medical necessity or the Certification of Informed Consent--Abortion form. Therefore, the MCO shall require providers to submit only hard-copy claims for payment consideration.

All claim forms and attachments shall be retained by the MCO. The MCO shall forward a copy of the claim and its accompanying documentation to LDH if requested.

## Boarder Baby Per Diem

Babies that are not medically appropriate for discharge and remain hospitalized in the regular nursery after the mother's discharge are referred to as "boarder babies". In these cases, the nursery per diem identified on the Louisiana Medicaid Inpatient Hospital Per Diem Fee Schedule shall be the minimum rate paid to hospitals billing the appropriate and covered nursery revenue codes.

## Covered and Non-Covered Inpatient Hospital Days

The MCO shall require hospitals to bill covered days and their associated ancillary charges. Covered days are days that have been approved through the precertification process.

The MCO may permit hospitals to bill non-covered days and their associated ancillary charges but these must be billed separately from covered days and their associated ancillary charges. Non-covered days are days that are not certified or approved by the MCO. Even though these non-covered days and services will be denied by the MCO, the MCO must submit a denied encounter for these claims if billed by the provider.

When the MCO receives an inpatient claim (electronic or paper) that includes dates of service that exceed approved days, the MCO must deny the entire claim. The provider must resubmit the inpatient claim for covered days only.

For example: If a provider obtains approval for a 10-day stay and submits a claim for 12 days, the claim must be denied and resubmitted for the 10 approved days only.

## Patient Day Recording

The MCO shall count the number of days of care charged to an enrollee for inpatient hospital services in units of full days. A day begins at midnight and ends 24 hours later. The midnight-to-midnight method is to be used in counting days of care for Medicaid reporting purposes. A part of a day, including the day of admission, counts as a full day. However, the day of discharge or death is not counted as a day unless discharge or death occurs on the day of admission. If admission and discharge or death occur on the same day, the day is considered a day of admission and counts as one inpatient day.

## 837I Billing Instructions

Service Line Items (SV203) – Line Item Charge Amount is the total charge amount for the Service-Line; it includes covered charges and non-covered charges (applicable for covered days only).

For accommodation service line items, the number of covered accommodation service days value (quantity) shall be sent in SV205 along with SV204 set to “DA” (days).

If the provider identifies service line items with non-covered charges or line item charges that are denied by the MCO, the non-covered charges must be identified and reported in the SV207 on the encounter.

The CLM02 (Total Claim Charge Amount) value shall equal the sum of all of the SV203 (Line Item Charge Amount) values. Since the SV203 value includes both covered and non-covered charges, CLM02 also includes both.

HI\*BE:80 – Covered Service Days (value in whole numbers only).

### Deliveries Prior to 39 Weeks

The MCO shall not cover induced deliveries prior to 39 weeks gestation unless it is medically necessary to induce labor prior to 39 weeks gestation. MCOs must have processes in place to validate that the delivery was not induced prior to 39 weeks or if prior to 39 weeks, that it was medically necessary.

### Deliveries with Non-Reimbursable Sterilizations

The MCO shall cover an inpatient hospital claim for a delivery/cesarean section even when a non-reimbursable sterilization is performed during the same hospital stay.

When there is no valid sterilization form obtained, the procedure code for the sterilization and the diagnosis code associated with the sterilization must not be reported on the claim form, and charges related to the sterilization process must not be included on the claim form. Providers will continue to receive their per diem for covered charges for these services.

NOTE: A sterilization procedure is considered non-reimbursable if the sterilization consent form is either missing or invalid.

### Distinct Part Psychiatric Units

Medicaid recognizes distinct part psychiatric units within an acute care general hospital differently for reimbursement purposes if the unit meets Medicare’s criteria for exclusion from Medicare’s Prospective Payment System (PPS excluded unit). The unit must have the LDH HSS verify that the Unit is in compliance with the PPS criteria and identify the number and location of beds in the psychiatric unit.

### Hospital-Based Ambulance Services (Inpatient — Air and Ground)

If a hospital admits an inpatient that is transported by its own hospital-based ambulance (ground or air), the MCO shall cover the ambulance charges, which must be billed as part of inpatient hospital services.

It may be necessary to transport an inpatient temporarily to another hospital for specialized care while the enrollee maintains inpatient status. These services are not billable ambulance services.

If a hospital-based ambulance transports an enrollee for inpatient admission to any other hospital, the ambulance service is not part of the hospital service and may be covered under the independent ambulance provider number.

Hospital-based ambulances must meet equipment and personnel standards set by the Bureau of Emergency Services (EMS). Hospitals must submit a copy of the EMS certification to Provider Enrollment for recognition to bill ambulance services.

## Hysterectomies

For detailed requirements around coverage of hysterectomies, please see the corresponding section of the *Professional Services* section of this Manual.

Prior to providing payment to the provider performing the hysterectomy, the MCO shall ensure that the hysterectomy consent form or a physician's written certification is obtained. The MCO shall allow ancillary providers and hospitals to submit claims without the hard copy consent. The MCO shall reimburse these providers only if the provider performing the hysterectomy submitted a valid hysterectomy consent form and was reimbursed for the procedure.

The MCO shall retain all required documentation.

## Intensive Care Units

### Neonatal Intensive Care Units

Reimbursement methodology recognizes four categories of neonatal units based on the certification of a hospital to provide neonatal intensive care services at a minimum standard for each category of Neonatal Intensive Care Units (NICUs): NICU I, NICU II, NICU III, and NICU III Regional.

### Pediatric Intensive Care Units

Reimbursement methodology recognizes two categories of Pediatric Intensive Care Units (PICUs) based on the certification of a hospital to provide pediatric intensive care services at a minimum standard for each category of PICU: PICU II; and PICU I.

## Mother/Newborn/Nursery

The MCO shall cover a hospital stay following a normal vaginal delivery of at least 48 hours for both the mother and newborn child, and at least 96 hours following a cesarean section delivery for both the mother and newborn child. All medically necessary services are the responsibility of the MCO regardless of primary or secondary mental health diagnosis.

The MCO may require notification by the provider of obstetrical admissions exceeding 48 hours after vaginal delivery. The MCO is allowed to deny a portion of a claim for payment based solely on lack of notification by the provider of obstetrical admission exceeding 48 hours after vaginal delivery. In this case, the MCO may only deny the portion of the claim related to the inpatient stay beyond 48 hours.

The MCO may require notification by the provider of obstetrical admissions exceeding 96 hours after Caesarean section. The MCO is allowed to deny a portion of a claim for payment based solely on lack of notification by the provider of obstetrical admission exceeding ninety-six (96) hours after Caesarean section. In this case, the MCO may only deny the portion of the claim related to the inpatient stay beyond 96 hours.

The MCO shall require providers to bill mother and newborn claims separately. The claim is to include only the mother's room/board and ancillary charges. A separate claim for the newborn must include only nursery and ancillary charges for the baby. This newborn claim shall be paid at zero as opposed to being denied in order to be counted as a covered service in encounter data.

When a newborn remains hospitalized after the mother's discharge, the claim must be split billed. The first billing of the newborn claim must be for charges incurred on the dates that the mother was hospitalized. The second billing must be for the days after the mother's discharge. The newborn assumes the mother's discharge date as his or her admit date.

## Outliers

In compliance with the requirement of Section 1902(s)(1) of the Social Security Act, additional payment shall be made for catastrophic costs associated with services provided to:

- ❖ Children under age six who received inpatient services in a disproportionate share hospital setting, and
- ❖ Infants who have not attained the age of one year who received inpatient services in any acute care setting.

Outlier payments are not payable for transplant procedures and services provided to enrollees with Medicaid coverage that is secondary to other payer sources.

Outlier payments are calculated based on each hospital's eligible outlier claims for discharges during the state fiscal year. Payment per hospital is limited to their pro rata share of the annual catastrophic outlier pool amount as established by rule and approved Louisiana Medicaid State Plan. Claims qualifying for payment from the outlier pool must meet the following conditions:

- ❖ The claims must be for children less than six years of age who received inpatient services in a disproportionate share hospital setting; or infants less than one year of age who receive inpatient services in any acute care hospital setting; and
- ❖ The costs of the case must exceed \$150,000. The hospital specific cost-to-charge ratio utilized to calculate the claim costs shall be calculated using the Medicaid NICU or PICU costs and charge data from the most current cost report.

## Out-of-State Acute Care Hospitals

### Psychiatric and Substance Abuse

The MCO shall cover inpatient psychiatric or substance abuse treatment in out-of-state hospitals for a maximum of two days in the case of a medical emergency.

## Out-of-State Inpatient Psychiatric Services

The MCO shall cover inpatient stays for psychiatric or substance abuse treatment in out-of-state hospitals only in the event of a medical emergency for a maximum of two days to allow time for the enrollee to be stabilized and transferred to a Louisiana psychiatric hospital when appropriate. The MCO shall not cover outpatient psychiatric and substance abuse services provided by an out-of-state hospital.

## Psychiatric Diagnosis within an Acute Care Hospital

When the enrollee's primary diagnosis is psychiatric, reimbursement will be on the psychiatric per diem and not the long-term or acute care rate.

## Psychiatric Hospitals (Free-Standing and Distinct Part)

Reimbursement for services provided in these facilities is a prospective per diem rate. This per diem includes all services provided to inpatients, except for physician services, which must be billed separately. All therapies (individual/group counseling or occupational therapy) must be included in the per diem. Federal regulations prohibit Medicaid reimbursement for enrollees ages 22-64 in a free-standing psychiatric hospital setting except as an LDH-approved in-lieu-of service.

## Rehabilitation Units in Acute Care Hospitals

Rehabilitation Units (Medicare designated) are considered part of the acute care hospital, and services are to be billed with the acute care provider number. Reimbursement rates are the same as for the acute care hospital. Separate Medicaid provider numbers are not issued for rehabilitation units.

## Services Reimbursed Separately from Per Diem Rate

Hospitals are to be reimbursed on an all-inclusive per diem for services provided. The MCO is required to reimburse hospitals the minimum per diem as published on the Medicaid FFS fee schedule. However, the following services, if provided in an inpatient setting, are to be reimbursed in addition to the minimum per diem:

- ❖ Cochlear devices
- ❖ Donor human milk
- ❖ Intraocular lens implants\*
- ❖ Intrathecal baclofen therapy infusion pumps
- ❖ Long acting reversible contraceptives
- ❖ Newborn screening panels performed in acute care hospital settings
- ❖ Vagus nerve stimulator devices\*

\*Refer to the *Outpatient Hospital Services* section for additional detail about these services.

## Cochlear Implants

For detailed requirements around coverage of cochlear implants, see the corresponding section of the *Professional Services* section.

When the implantation procedure is performed in the hospital setting, the MCO shall reimburse the hospital for the device(s) in addition to the hospital payment.

## Donor Human Milk

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The MCO shall cover donor human milk provided in the inpatient hospital setting for certain medically vulnerable infants. This coverage shall be provided without restrictions or the requirement for prior authorization. Donor human milk is considered medically necessary when all of the following criteria are met:

- ❖ The hospitalized infant is less than 12 months of age with one or more of the following conditions:
  - Prematurity;
  - Malabsorption syndrome;
  - Feeding intolerance;
  - Immunologic deficiency;
  - Congenital heart disease or other congenital anomalies;
  - Other congenital or acquired condition that places the infant at high risk of developing necrotizing enterocolitis (NEC) and/or infection; and
- ❖ The infant's caregiver is medically or physically unable to produce breast milk at all or in sufficient quantities, is unable to participate in breastfeeding despite optimal lactation support, or has a contraindication to breastfeeding; and
- ❖ The infant's caregiver has received education on donor human milk, including the risks and benefits, and agrees to the provision of donor human milk to their infant; and
- ❖ The donor human milk is obtained from a milk bank accredited by, and in good standing with, the Human Milk Banking Association of North America.

## Reimbursement

The MCO shall reimburse donor human milk separately from the hospital reimbursement for inpatient services. The minimum reimbursement for the donor human milk is the fee on file on the Louisiana Medicaid Durable Medical Equipment (DME) Fee Schedules.

Hospitals must bill the donor human milk claim using the Healthcare Common Procedure Coding System (HCPCS) procedure code T2101 (1 unit per ounce) on a CMS 1500 claim form.

## Intrathecal Baclofen Therapy

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For detailed requirements around coverage of intrathecal baclofen therapy, see the corresponding section in the *Professional Services* section of this Manual.

When the implantation procedure is performed in the hospital setting, the MCO shall reimburse the hospital for the pump in addition to the hospital reimbursement.

## Long-Acting Reversible Contraceptives in the Inpatient Hospital Setting

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The MCO shall cover long-acting reversible contraceptive (LARC) devices, in addition to the hospital reimbursement, when provided in the postpartum period prior to discharge. Minimum reimbursement for the

LARC device is provided on the Louisiana Medicaid Durable Medical Equipment (DME) Fee Schedules. Hospitals shall bill the claim for the LARC, separate from the inpatient stay, on the CMS 1500 claim form.

## Specialty Units

Certain resource intensive inpatient services are recognized through a separate reimbursement methodology by Louisiana Medicaid. The MCO shall refer to the corresponding rate applicable to the type and level of service in the Medicaid FFS fee schedule for the minimum per diems established for the following inpatient services: neonatal intensive care units, pediatric intensive care units, and burn units.

## Split-Billing

The MCO must require split-billing in the following circumstances:

- ❖ Hospitals must split-bill claims at the hospital's fiscal year end;
- ❖ Hospitals must split-bill claims when the hospital changes ownership;
- ❖ Hospitals must split-bill claims if the charges exceed \$999,999.99; and
- ❖ Hospitals must split-bill claims with more than one revenue code that utilizes specialized per diem pricing (e.g., PICU, NICU).

The MCO may grant hospitals the discretion to split-bill claims as warranted by other situations that may arise.

## Split-Billing Procedures

The MCO shall provide the following instructions for split-billing on the UB-04 claim form.

In the Type of Bill block (form locator 4), the hospital must enter code 112, 113 or 114 to indicate the specific type of facility, the bill classification, and the frequency for both the first part and the split-billing interim and any subsequent part of the split-billing interim.

In the Patient Status block (form locator 17), the hospital must enter a 30 to show that the enrollee is "still a patient."

NOTE: When split-billing, the hospital must not code the first claim as a discharge.

In the Remarks section of the claim form, the hospital must write in the part of stay for which it is split-billing. For example, the hospital must write in "Split-billing for Part 1," if it is billing for Part 1.

Providers submitting a hospital claim which crosses the date for the fiscal year end, must complete the claim in two parts: (1) through the date of the fiscal year end and (2) for the first day of the new fiscal year.

## Sterilizations

For detailed requirements around coverage of sterilizations, see the corresponding section of the *Professional Services* section of this Manual.

Prior to providing reimbursement to the provider performing the sterilization, the MCO shall ensure that the sterilization consent form is obtained. The physician who signs the consent form must be the physician listed as the attending physician on the UB-04.

The MCO shall allow ancillary providers and hospitals to submit claims without the hard copy consent. The MCO shall reimburse these providers only if the provider performing the sterilization submitted a valid sterilization consent and was reimbursed for the procedure.

The MCO shall retain all required documentation.

NOTE: Refer to *Deliveries with Non-Reimbursable Sterilizations* for deliveries when a non-reimbursable sterilization is performed during the same hospital stay.

## Surgeries Performed on an Inpatient Basis

The MCO shall cover certain surgical procedures only when performed as outpatient unless it is medically necessary for the procedure to be performed on an inpatient basis. These procedures are usually performed on an outpatient basis but can be performed inpatient if it is medically necessary. A list of outpatient procedures requiring approval to be performed on an inpatient basis may be found on the Medicaid FFS fee schedules.

The MCO may approve inpatient performance of these procedures when one or more of the following exception criteria exists:

- ❖ Documented medical conditions exist that make prolonged pre-and/or post-operative observation by a nurse or skilled medical personnel a necessity.
- ❖ The procedure is likely to be time consuming or followed by complications.
- ❖ An unrelated procedure is being performed simultaneously that requires hospitalization.
- ❖ There is a lack of availability of proper post-operative care.
- ❖ Another major surgical procedure could likely follow the initial procedure (e.g., mastectomy).
- ❖ Technical difficulties, as documented by admission or operative notes, could exist.
- ❖ The procedure carries high enrollee risk.

Reimbursement for the performance of these specified surgical procedures on an outpatient basis will be made on a flat fee-for-service basis. Reimbursement for surgical procedures approved for an inpatient performance will be made in accordance with the prospective reimbursement methodology for acute care inpatient hospital services.

## Transplant Services

In-state transplant services are reimbursed at costs subject to a hospital-specific per diem limit that is based on each hospital's actual cost in the base year established for each type of approved transplant. Out-of-state transplant services are reimbursed at 40 percent of billed charges for adults age twenty-one and older and 60 percent of billed charges for children through age twenty.

## Well-Baby Per Diem

Private hospitals that perform more than 1,500 Louisiana Medicaid deliveries per state fiscal year (SFY) qualify to be paid a per diem for well babies that are discharged at the same time the mother is discharged.

## Outpatient Hospital Services

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Outpatient hospital services are defined as diagnostic and therapeutic services rendered under the direction of a physician or dentist to an outpatient in an enrolled, licensed and certified hospital. The MCO shall cover medically necessary outpatient hospital services provided to enrollees.

### Common Observation Policy

The MCO shall utilize the following common observation policy, which has been developed collectively by MCO personnel with LDH approval. This policy shall be reviewed annually by LDH and the MCOs in its entirety. Any revisions shall be reviewed and approved by LDH at least 30 calendar days prior to implementation of any new or revised language. The purpose of the outpatient hospital services program is to provide outpatient services to eligible Medicaid enrollees performed on an outpatient basis in a hospital setting. Hospitals are to ensure that the services provided to Medicaid enrollees are medically necessary, appropriate and within the scope of current evidence-based medical practice and Medicaid guidelines.

***Observation Time:** The period beginning at the time the order is written to place an enrollee in observation status or the time an enrollee presents to the hospital with an order for observation, and ending with discharge of the enrollee, or an order for inpatient admission.*

***Observation Care:** A well-defined set of specific, clinically appropriate services furnished while determining whether an enrollee will require formal inpatient admission or be discharged from the hospital. Observation is for a minimum of one hour and up to 48 hours.*

*\*The enrollee must be in the care of a physician during the period of observation, as documented in the medical record by an observation order, discharge, and other appropriate progress notes that are timed, written, and signed by the physician.*

### Observation Procedure

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The MCO shall reimburse up to 48 hours of medically necessary care for an enrollee to be in an observational status. This time frame is for the physician to observe the enrollee and to determine the need for further treatment, admission to an inpatient status, or for discharge. Observation and ancillary services do not require notification, precertification or authorization and will be covered up to 48 hours.

Hospitals should bill the entire outpatient encounter, including emergency department, observation and any associated services on the same claim with the appropriate revenue codes, and all covered services are to be processed and paid separately.

Any observation service over 48 hours requires MCO authorization. For observation services beyond 48 hours that are not authorized, the MCO shall only deny the non-covered hours.

If an enrollee is anticipated to be in observation status beyond 48 hours, the hospital must notify the MCO as soon as reasonably possible for potential authorization of an extension of hours. The MCO and provider shall work together to coordinate the provision of additional medical services prior to discharge of the enrollee as needed.

## Observation-to-Inpatient Procedure

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Length of stay alone should not be the determining factor in plan denial of inpatient stay/downgrading to observation stay.

Medicaid enrollees should not be automatically converted to inpatient status at the end of the 48 hours. Admission of an enrollee cannot be denied solely on the basis of the length of time the enrollee actually spends in the hospital.

All hospital facility charges on hospital day one are included in the inpatient stay and billed accordingly inclusive of emergency department/observation facility charges. (Note: Professional charges should continue to be billed separately.)

All observation status conversions to an inpatient hospital admission require notification to the MCO within one business day of the order to admit an enrollee. Acceptable notifications include the use of MCO provider portals, admit discharge transfer notifications, and other mediums through which MCOs accept clinical communications.

MCOs are prohibited from including any observation hours in the inpatient admission notification period.

The MCO will notify the provider rendering the service, whether a healthcare professional or facility or both, verbally or as expeditiously as the enrollee's health condition requires but within no more than one business day of making the initial determination. The MCO will subsequently provide written notification (i.e., via fax) to the provider within two business days of making the decision to approve or deny an authorization request.

## Observation Charges

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The MCO must require hospitals to bill for observation services following the common observation policy. Observation services must be billed using revenue code 762 and the appropriate accompanying HCPCS codes of G0378 and G0379.

MCOs may not reimburse for outpatient surgical procedures provided on the same day as observation.

## Diabetes Self-Management Training

For detailed requirements around coverage of diabetes self-management training, see the corresponding subsection of the *Professional Services* section of this Manual.

The MCO shall reimburse for DSMT services as a flat fee based on the Louisiana Medicaid Professional Services Fee Schedule, at a minimum, minus the amount which any third party coverage would pay. The following Healthcare Common Procedure Coding System (HCPCS) codes or their successors are used to bill DSMT services:

- ❖ G0108-Diabetes outpatient self-management training services, individual, per 30 minutes
- ❖ G0109-Diabetes self-management training services, group session (two or more) per 30 minutes

NOTE: Services provided to pregnant women with diabetes must be billed with the "TH" modifier.

Hospitals are to bill the above HCPCS codes in the outpatient setting along with Revenue code 942. These are the only HCPCS codes currently allowed to be billed with HR942.

## Emergency Department Services

The MCO shall cover emergency department services for an emergency medical condition, subject to the “prudent layperson standard” as required in federal law and regulations. A person with an emergency medical condition presents with a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of medical attention to result in:

- ❖ Placing the health of the individual, or in the case of a pregnant woman, the health of the woman or her unborn child, in serious jeopardy;
- ❖ Serious impairment of bodily function; or
- ❖ Serious dysfunction of any organ or body part.

Hospitals with emergency departments are required by EMTALA (Emergency Medical Treatment and Labor Act) to perform a Medical Screening Exam (MSE) on all persons who present to the emergency department for services. If the MSE does not reveal the existence of an emergency medical condition under the prudent layperson standard, the enrollee must be advised that Medicaid does not cover routine/non-emergent care provided in the emergency department when the presenting symptoms do not meet the prudent layperson standard of an emergency condition and that he or she may receive a bill if they are treated in the emergency department. The enrollee must be referred to his or her primary care physician (PCP) for follow-up and evaluation.

Federal Medicaid regulations and policy prohibit the use of diagnosis codes (either symptoms or final diagnosis) for denying claims. The MCO is required to base coverage decisions for emergency services on the apparent severity of the symptoms at the time of presentation and to cover examinations when presenting symptoms are of sufficient severity to constitute an emergency medical condition in the judgment of a prudent layperson. The final determination of coverage and reimbursement must be made by taking into account the presenting symptoms rather than the final diagnosis.

The MCO shall require provider to bill revenue code 450 or 459 when submitting claims for outpatient emergency department services. Only one revenue code 450 or 459 may be used per emergency department visit. These revenue codes must be billed with the appropriate accompanying CPT codes of 99281, 99282, 99283, 99284, 99285, 99291 and 99292. Claims for emergency department services are not to be billed as a single line item. Claims must include all revenue codes (i.e., pharmacy, lab, x-rays and supplies) which were utilized in the enrollee’s treatment, using the appropriate revenue code and HCPCS when applicable.

When an emergency visit results in an inpatient admit, providers must bill all charges associated with the emergency visit on the inpatient bill. This policy applies to enrollees admitted from the emergency department or if the enrollee has been seen in the emergency department within 24 hours either prior to admit or after the inpatient discharge. The emergency department charges must be billed as a separate line. All associated charges for the emergency visit must be included by revenue code with the total charges for the inpatient stay.

## Hospital-Based Ambulances (Outpatient — Ground only)

The MCO shall cover emergency transports by a hospital's own hospital-based ambulance (ground only) for enrollees treated and released as an outpatient. These must be billed as part of outpatient hospital services.

If a hospital-based ambulance transports a patient for emergency outpatient treatment to any other hospital, the ambulance service is not part of the hospital service and may be covered under the independent ambulance provider number.

Hospital-based ambulances may be used only to transport enrollees to the hospital in an emergency so they may be stabilized.

The MCO shall not cover non-emergency transport by a hospital-based ambulance as a hospital service.

NOTE: Air ambulance is not covered as an outpatient service.

Hospital-based ambulances must meet equipment and personnel standards set by the Bureau of Emergency Medical Services (EMS). Hospitals must submit a copy of EMS certification to Provider Enrollment for recognition to bill ambulance charges.

## Hyperbaric Oxygen Therapy

The MCO shall cover hyperbaric oxygen therapy when provided in an outpatient hospital setting. For detailed requirements related to hyperbaric oxygen therapy coverage, see the corresponding subsection of the *Professional Services* section in this Manual.

## Intraocular Lens Implants

When intraocular lens implantation is performed in the outpatient hospital setting, the MCO shall reimburse for the intraocular lens implant in addition to the outpatient hospital surgery reimbursement. The MCO shall only reimburse the provider who actually supplies the lens.

## Long-Acting Reversible Contraceptives in the Outpatient Hospital Setting

The MCO shall make an additional reimbursement to hospitals for long-acting reversible contraceptive (LARC) devices when they are inserted during an outpatient hospital visit. Reimbursement for the LARC device in the outpatient hospital setting is in addition to the outpatient hospital reimbursement.

Hospitals shall bill the DME revenue code of 290 with the appropriate accompanying HCPCS code for the LARC device on the UB-04. The MCO may refer to the Louisiana Medicaid Durable Medical Equipment (DME) Fee Schedules for covered LARCs and their minimum reimbursement.

NOTE: Refer to the *Inpatient Hospital Services* section for LARCs in the inpatient hospital setting.

## Out-of-State Hospital Outpatient Services

Approved outpatient hospital services will be reimbursed at 31.04 percent of billed charges except for those outpatient services reimbursed based on a fee schedule. The Medicaid Program does not cost settle out-of-state hospitals.

## Outpatient Hospital Clinic Services

The payable revenue codes are 510, 514, 515, 517, and 519. These revenue codes must be billed with the appropriate accompanying office setting E&M CPT code.

## Outpatient Rehabilitation Services

The MCO shall cover outpatient rehabilitation services, which include:

- ❖ Physical therapy;
- ❖ Occupational therapy;
- ❖ Speech therapy; and
- ❖ Hearing therapy.

## Proton Beam Radiation Therapy

The MCO shall not cover Proton Beam Radiation Therapy (PBRT) for enrollees 21 years of age and older.

## Psychiatric and Substance Abuse

The MCO shall not cover outpatient psychiatric or substance abuse treatment in an outpatient hospital setting.

## Same-Day Outpatient Visits

### Enrollees under Age 21

When medically necessary, two same-day outpatient visits per specialty per enrollee are allowed; however, the second same-day outpatient visit is reimbursable for only the two lowest level evaluation and management (E&M) codes.

If an Early and Periodic Screening, Diagnostic and Treatment (EPSDT) screening has been paid, only the two lowest level E&M codes are payable for the same enrollee, on the same date of service and by the same attending provider. In these circumstances, when it is clinically appropriate, providers may use the correct modifier to allow both services to be covered.

A same-day follow-up office visit for the purpose of fitting eyeglasses is allowed, but no higher level office visit than the lowest level E&M code is payable for the fitting. Appropriate modifier usage may be required.

## Enrollees Age 21 and Over

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If a preventive medicine E&M service has been paid, only the two lowest level E&M codes are payable for the same enrollee, on the same date of service, and by the same attending provider.

## Screening Mammography

For requirements related to screening mammography coverage, see the corresponding subsection of the *Professional Services* section in this Manual.

The MCO shall reimburse hospitals billing with revenue code 403 and the appropriate accompanying CPT codes for screening mammograms.

## Vagus Nerve Stimulators

For detailed requirements around vagus nerve stimulator coverage, please see the corresponding subsection in the *Professional Services* section of this Manual.

The MCO shall advise hospitals to confirm that the provider performing the implantation has received an authorization for the procedure prior to submitting their claim in order to prevent denials. The MCO shall reimburse for vagus nerve stimulators using HCPCS procedure code C1767 (VNS generator) and/or C1778 (VNS leads). The MCO shall reimburse following review of the provider's approved authorization.

## LABORATORY SERVICES

The MCO shall cover inpatient and outpatient (hospital and non-hospital) laboratory services when ordered by a physician or other licensed practitioner acting within their scope of practice. The MCO shall cover laboratory services that may be required to treat an emergency or to provide surgical services for an excluded service, such as dental services.

## CLIA Certification

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The MCO shall require all providers to include a valid Clinical Laboratory Improvement Amendments (CLIA) number on all claims submitted for laboratory services, including CLIA waived tests.

The MCO shall apply CLIA claim edits to all claims for laboratory services that require CLIA certification and deny those claims that do not meet the required criteria.

The MCO shall edit claims to ensure reimbursement is not made to:

- ❖ Providers who do not have a CLIA certificate;
- ❖ Providers rendering services outside the effective dates of the CLIA certificate; and
- ❖ Providers submitting claims for services not covered by their CLIA certificate.

Providers with waiver or provider-performed microscopy (PPM) certificate types may be paid for only those waiver and/or PPM codes approved for billing by CMS.

NOTE: The CLIA number is not required for UB-04 claims.

## In-Office Laboratory Services

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The MCO shall cover laboratory services furnished in an office or similar facility other than a hospital outpatient department or clinic. The MCO must only reimburse physicians and other licensed practitioners for laboratory services that they personally perform or supervise and must ensure that physicians and other licensed practitioners comply with all state and federal requirements.

## Hospital Laboratory Services

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The MCO shall cover laboratory services furnished in a hospital laboratory.

For inpatient laboratory services, the MCO shall allow hospitals to contract with an independent laboratory. The MCO shall ensure that the hospital pays the laboratory for the technical component. The MCO shall reimburse the independent laboratory for only the professional component of the service, when applicable.

For outpatient laboratory services, the MCO shall allow hospitals to contract with an independent laboratory. When a hospital contracts with an independent laboratory for the performance of the technical service only, the MCO shall require the hospital to pay the laboratory. The MCO shall not reimburse the independent laboratory for the technical component only.

When a hospital contracts with an independent laboratory for outpatient or inpatient services, the MCO shall require the hospital to ensure that both the physician who performs the professional service and the laboratory that performs the technical service meet all applicable state and federal requirements.

## Independent Laboratories

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The MCO shall cover laboratory services provided in independent laboratories. An independent laboratory performs diagnostic tests and is independent of the ordering provider, the hospital, or both.

The MCO shall only contract with independent laboratories that meet all applicable state and federal requirements.

Providers are limited to billing the laboratory services that they are CLIA-certified to perform.

## Specimen Collection

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The MCO shall not reimburse separately for specimen collection, as that service is considered incidental to the evaluation and management service, the laboratory test, or both.

## Urine Drug Testing

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The MCO shall cover presumptive and definitive urine drug testing under the following parameters:

- ❖ Presumptive drug testing is limited to 24 total tests per enrollee per calendar year.
- ❖ Definitive drug testing is limited to 12 total tests per enrollee per calendar year.
- ❖ Testing more than 14 definitive drug classes in one test is not reimbursable.

- ❖ No more than one presumptive test and one definitive test shall be reimbursed per day per enrollee, from the same or different provider.

## MEDICAL TRANSPORTATION

The MCO is required to provide emergency and non-emergency medical transportation for its enrollees. Coverage information by enrollment type is provided in the following matrix:

Enrollment	Non-Ambulance	Non-Emergency Ambulance	Emergency Ambulance
<i>Managed care for physical and behavioral health</i>	MCO	MCO	MCO
<i>Managed care for physical health only (CSOC children)</i>	MCO	MCO	MCO
<i>Managed care for behavioral health only</i>	MCO	MCO	Medicaid FFS
<i>Nursing home residents</i>	Included in facility per diem	MCO	MCO for month of admission*; Medicaid FFS for subsequent months
<i>Children in ICF-IIDs<sup>†</sup></i>	Included in facility per diem	MCO	Medicaid FFS
<i>Adults in ICF-IIDs<sup>†</sup></i>	Included in facility per diem	Medicaid FFS <sup>^</sup>	Medicaid FFS
<i>Excluded populations</i>	Medicaid FFS <sup>^</sup>	Medicaid FFS <sup>^</sup>	Medicaid FFS

<sup>†</sup> Intermediate Care Facility for Individuals with Intellectual Disabilities

<sup>^</sup> Southeastern is currently authorizing and reimbursing for these transportation services covered by Medicaid FFS.

\*During the single transitional month where an enrollee is both in a P-linkage and certified in LTC, the MCO will remain responsible for all transportation services that are not the responsibility of the nursing facility.

The MCO may elect to contract with a transportation broker but shall maintain ultimate responsibility for adhering to and otherwise fully complying with the policies, instructions, and guidelines herein, any applicable Contract provisions, and any applicable state and federal requirements.

## Non-Emergency Medical Transportation

Non-Emergency Medical Transportation (NEMT) is transportation provided to Medicaid enrollees to and/or from a Medicaid provider for a Medicaid covered service, even when Medicaid is not the primary payer, when no other means of transportation are available. NEMT does not include transportation provided on an emergency basis, such as trips to emergency departments in life threatening situations. Non-emergency ambulance transportation (NEAT) is a form of NEMT. See the *Ambulance* section of this Manual for guidelines specific to NEAT. Services shall be provided in accordance with the Louisiana Administrative Code, Title 50, Part XXVII, Chapter 5.

## Covered Services

The MCO shall authorize NEMT for the least costly means of transportation available to and/or from a qualified provider of routine or specialty care within the enrollee's transportation service area. The transportation service area is defined as the area that complies with the geographic access standards outlined in the **Provider Network Companion Guide**.

Scheduled trips in which no transportation of the enrollee occurs are not billable.

Reimbursement to transportation providers shall be no less than the published Medicaid FFS rate in effect on the date of service, unless mutually agreed to by the MCO and the transportation provider in the provider agreement.

## Exceptions to Standards

The transportation service area applies for P-linkage enrollees who are enrolled in an MCO for physical health, behavioral health, and transportation services. It is not applicable to B-linkage enrollees who are enrolled in an MCO for specialized behavioral health and NEMT, including NEAT.

If a P-linkage enrollee does not have a choice of at least two medical providers within the geographic access standards, the transportation service area may be extended to the nearest medical provider beyond the geographic access standards.

Enrollees may seek medically necessary services beyond the transportation service area, including in another state, when it is the nearest option available.

The MCO shall have an established process for coordinating medically necessary long distance or out-of-state travel for enrollees who require covered Medicaid state plan services. Coverage and reimbursement for meals, lodging, and travel expenses for both the enrollee and one attendant, shall be included unless otherwise covered in the inpatient per diem or other payer source. Long distance travel shall be defined as when treatment requires more than 12 hours of total travel. "Total travel" includes the duration of the health care appointment and travel to and from that appointment.

All non-emergency long distance or out-of-state transportation must be pre-approved by the MCO. The MCO may approve transportation to long distance or out-of-state medical care only if the enrollee has been granted approval to receive medical treatment at that location.

The MCO must maintain documentation to support exceptions to standards and submit documentation to LDH upon request.

## Exclusions

The MCO shall not be reimbursed for transportation to or from the following locations:

- ❖ Pharmacies;
- ❖ Nursing facilities;
- ❖ Hospice care; or
- ❖ Women, Infants, and Children (WIC) service appointments at the Office of Public Health.

NOTE: This is not an exclusive list.

The MCO may reimburse for transportation to or from a pharmacy, WIC appointment, or other value-added benefit as an approved MCO value-added benefit, regardless if it is a standalone trip or as an additional stop. The MCO shall flag both the service and the transportation as a value-added benefit in accordance with the **MCO System Companion Guide**.

## Commercial Air Transportation for Out-of-State Care

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The MCO may approve transportation on commercial airlines for out-of-state trips when no comparable services can be provided in Louisiana, and the risk to the enrollee's health is grave if transported by other means. All out-of-state non-emergency medical care must be prior authorized by the MCO. Transportation may be included in the prior authorization for medical services. MCO approval shall be contingent on the treating physician's confirmation that there are no negative impacts to the health and safety of the enrollee by utilizing commercial air transportation.

The MCO shall reimburse air travel for the enrollee plus a maximum of one attendant, if medically necessary or if the enrollee is a child, at the lowest, refundable, coach/economy class fare. Upgrades (e.g., fare class or seat) and additional costs (e.g., in-flight refreshments) shall not be reimbursed.

## Scheduling and Authorization

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### General Requirements

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To be eligible for reimbursement, NEMT trips must be reviewed by the MCO, prior to scheduling, for enrollee eligibility and verification that the originating or destination address belongs to a medical facility. Additional authorization requirements for long distance travel, out-of-state travel, commercial air, and NEAT are addressed in this manual.

Requests for transportation may be made by enrollees, hemodialysis centers, non-profit transportation providers, Opioid Treatment Programs, or other medical facilities. Under no circumstances may profit transportation providers schedule trips on behalf of enrollees.

The MCO shall assign transportation providers on the basis of the least costly means available, including the use of free and/or public transportation when possible, with consideration given to the enrollee's choice of transportation provider. The MCO shall ensure that the provider accommodates the level of service required to safely transport the enrollee (e.g., ambulatory, wheelchair, transfer).

When multiple providers meet the least costly standard, the MCO should dispatch trips to providers whose primary service region for operation, according to the provider's Disclosure of Ownership Form, is the same as the enrollee's domicile and who are able to comply with all travel and wait time standards. The MCO is prohibited from dispatching trips to out-of-region providers, unless the MCO retains documentation to support that there is no willing and available provider in the region<sup>4</sup> where the enrollee is domiciled able to comply with time requirements or that the out-of-region provider is the least costly option.

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<sup>4</sup> Defined as the LDH administrative regions illustrated at <https://ldh.la.gov/index.cfm/page/2>.

The MCO must obtain credentials from the transportation provider, driver, and vehicle as outlined in the Provider Requirements section.

Enrollees and medical providers are expected to give at least 48 hours' notice when requesting transportation; however, the MCO must make a reasonable attempt to schedule the trip with less than 48 hours' notice and as expeditiously as the enrollee's health condition requires. The MCO must schedule NEMT trips that require pre-approval within 48 hours of the request. The MCO must maintain documentation to support exceptions to this standard and submit documentation to LDH upon request.

**Hospital discharges shall be transported within three hours of notification by a medical facility.**

When a transportation provider cannot perform the service, the MCO shall require the provider to immediately notify the MCO in order for the MCO to secure an alternate provider.

The MCO shall monitor providers to ensure that they do not reject local trips in favor of long distance trips. Providers who exhibit a pattern of rejecting local trips may be subject to trip reductions or other sanctions, particularly if such action results in actual harm to an enrollee or places the enrollee at risk of imminent harm.

If a child is to be transported, either as the enrollee or an additional passenger, the parent or guardian of the child is responsible for providing an appropriate child passenger restraint system as outlined by La. R.S. 32:295. The MCO is responsible for notifying the parents or guardians of this requirement when scheduling the trip.

## **Additional Passengers**

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The MCO must inform the transportation provider if an enrollee intends to bring accompanying children or if an attendant is required.

The MCO shall not reimburse providers for transporting additional passengers. The MCO shall prohibit transportation providers from charging the enrollee or anyone else for the transportation of additional passengers.

## **Children**

The MCO's policy must allow the transportation provider to refuse to transport accompanying children.

## **Attendants**

The MCO is responsible for determining if an attendant is required. If required, the MCO shall ensure that the attendant accompany the enrollee to and from the medical appointment. The following non-exclusive list of conditions may require an attendant:

- ❖ Sensory deficits;
- ❖ Need for human assistance for mobility;
- ❖ Dementia or other cognitive impairments;
- ❖ At risk of elopement;
- ❖ Behavioral disorders;
- ❖ Need for interpretation or translation assistance; or
- ❖ Special needs such as:

- Convalescence from surgical procedures;
- Decubitus ulcers or other problems which prohibit sitting for a long period of time;
- Incontinence or lack of bowel control;
- Assistance with toileting; and
- Artificial stoma, colostomy or gastrostomy.

An attendant shall be required when the enrollee is under the age of 17. This attendant must:

- ❖ Be a parent, legal guardian, or responsible person designated by the parent/legal guardian; and
- ❖ Be able to authorize medical treatment and care for the enrollee.

Attendants may not:

- ❖ Be under the age of 17;
- ❖ Be a Medicaid provider or employee of a Medicaid provider that is providing services to the enrollee being transported, except for employees of a mental health facility in the event an enrollee has been identified as being a danger to themselves or others or at risk for elopement; or
- ❖ Be a transportation provider or an employee of a transportation provider.

## Provider Requirements

### Classification of Providers

NEMT is provided to Medicaid enrollees through four classifications of NEMT providers. The MCO shall consider scheduling transportation providers in the following order:

1. Public
2. Gas reimbursement
3. Non-profit
4. Profit

*Public providers* include city and parish intrastate mass transit systems (e.g., bus, train).

*Gas reimbursement providers* are individuals, including friends or family members. The provider may not reside at the same physical address as the enrollee being transported.

*Non-profit providers* include those providers who are operated by or affiliated with a public organization such as state, federal, parish or city entities, community action agencies, or parish Councils on Aging. If a provider qualifies as a non-profit entity according to Internal Revenue Service (IRS) regulations, they may only enroll as non-profit providers.

*Profit providers* include corporations, limited liability companies, partnerships, or sole proprietors. Profit providers must comply with all state laws and the regulations of any governing state agency, commission, or local entity to which they are subject as a condition of enrollment and continued participation in the Medicaid program.

## General Requirements

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The MCO shall ensure that the transportation provider agrees to cover the entire parish or parishes for which he or she provides NEMT services.

## Gas Reimbursement Provider Requirements

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The MCO shall ensure that gas reimbursement providers are 18 years of age or older and possess a current Louisiana driver's license. The provider may not reside at the same address as the enrollee.

In order to be eligible for reimbursement, the MCO must obtain the following from gas reimbursement providers:

- ❖ An enrollment form that includes at a minimum:
  - Provider's full name;
  - Provider's physical address (P.O. Box is not valid);
  - Provider's mailing address;
  - Provider's phone number;
  - Provider's social security number; and
  - List of no more than five enrollees or all enrollees within one household, for whom the driver may be reimbursed. Enrollee information must include the full name, date of birth, and Medicaid ID;
- ❖ A clear and legible copy of the valid driver's license as part of the enrollment packet; and
- ❖ A copy of the vehicle's registration and insurance that meets or exceeds the minimum insurance required by the State of Louisiana.

Reimbursement to gas reimbursement providers is intended to cover all persons in the vehicle at the time of the trip (i.e., reimbursement shall be made for one trip regardless of the number of enrollees or additional passengers in the vehicle).

The MCO shall issue IRS Form 1099 to all gas reimbursement providers for income tax purposes.

## Profit and Non-Profit Provider Requirements

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The MCO shall obtain credentials from each profit and non-profit NEMT provider prior to and continually thereafter providing services under the NEMT program. The MCO may not assign any trips to profit and non-profit providers at any point who do not meet the requirements of this section. The MCO may not reimburse any provider in violation of these requirements on the date of service.

## Administrative Requirements

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The MCO shall obtain the following administrative documents from the NEMT provider:

- ❖ A disclosure of ownership as required by 42 C.F.R. §§ 455.104-455.106;
- ❖ The provider's National Provider Identifier (NPI) number in his or her business entity name if the provider has obtained one from the National Plan and Provider Enumeration System (NPPES);
- ❖ A copy of the IRS Form CP 575 showing the Employer Identification Number (EIN) and business entity name which must match all other documentation including, but not limited to, vehicle signage;
- ❖ An IRS Form W-9 which matches the information on the IRS Form 575;

- ❖ A Certificate of Public Necessity (CPNC) issued by the Orleans Parish Taxicab Service and Enforcement Bureau for each provider, driver, and vehicle that will operate in Orleans Parish; and
- ❖ An NEMT permit issued by the Jefferson Parish Emergency Management Office for each provider, driver, and vehicle that will operate in Jefferson Parish.

The MCO shall conduct a search of Office of Inspector General (OIG) List of Excluded Individuals/Entities (LEIE), Louisiana Adverse Actions List Search, the System of Award Management (SAM), and other applicable sites as may be determined by LDH, monthly to capture exclusions and reinstatements that have occurred since the previous search. Any and all exclusion information discovered shall be reported to LDH within three business days. Any individual or entity that employs or contracts with an excluded NEMT provider/individual cannot claim reimbursement from Medicaid for any items or services furnished, authorized, or prescribed by the excluded provider or individual. This is a prohibited affiliation. This prohibition applies even when the Medicaid reimbursement itself is made to another provider who is not excluded.

The MCO is responsible for the return to the State of any money paid for services provided by an excluded NEMT provider within 30 days of discovery. Failure by the MCO to ensure compliance with requirements to prevent and return, as applicable, payments to excluded providers may also result in LDH assessing monetary penalties and/or other remedies including, but not limited to, a deduction from the MCO's monthly capitation payment.

## Insurance Requirements

The MCO shall ensure that profit and non-profit NEMT providers have, at a minimum, general liability coverage of \$100,000 on the business entity, in addition to automobile liability coverage of \$25,000 for bodily injury per person, \$50,000 per accident, and \$25,000 for property damages. Any NEMT provider authorized to transport an enrollee out of state must carry automobile liability of \$1,500,000, at a minimum, in accordance with federal transportation regulations. Automobile liability coverage should include either:

- ❖ Symbols 7, 8, and 9; or
- ❖ Symbols 2, 8, and 9.

The NEMT provider's certificate of insurance must state that this coverage is for a Non-Emergency Medical Transportation Vehicle. The policy must have a 30-day cancellation clause issued to the MCO. LDH must be listed as an additional insured on the automobile liability and general liability policies. The MCO shall obtain a copy of the policy from the provider.

If a transportation provider adds a vehicle, the MCO shall obtain from the NEMT provider an updated copy of the policy, which shows that the additional vehicle is insured, prior to use of the vehicle.

The MCO shall ensure that all transportation companies carry worker's compensation insurance as required by Louisiana law.

Operation without the minimum insurance coverage is a violation of the NEMT provider requirements. LDH or the MCO may recoup all payments for trips occurring during the period of violation.

## Driver Requirements

Drivers shall meet the following minimum requirements in order to transport Medicaid enrollees:

- ❖ Be 21 years of age or older;

- ❖ Possess a current driver's license (class D or CDL);
- ❖ Possess the appropriate municipal or parochial permits if operating in Orleans and Jefferson Parish;
- ❖ Have an Official Driving Record with neither three or more moving violations, nor any convictions for operating a vehicle while intoxicated, within the past three years;
- ❖ Comply with La. R.S. 40:1203.1 - 40:1203.7. Transportation providers shall conduct an annual criminal history check on all NEMT drivers. The criminal history check must be performed by the Louisiana State Police, an agency authorized by the Louisiana State Police, or the FBI. The results of the criminal history check must be transmitted directly to the MCO or its transportation broker by the authorizing agency. The driver must have a "clean" record, with no convictions for prohibited crimes, unless the person has received a pardon of the conviction or has had his or her conviction expunged; and
- ❖ Have successfully passed a five-panel drug screen, at a minimum, which shall be performed annually and upon reasonable suspicion. The results of the drug screen must be transmitted directly to the MCO by the testing agency. Any driver, or prospective driver, who fails the drug screen may resume driver responsibilities after a substance abuse professional issues a final evaluation and return to work clearance. The MCO shall confirm that the driver successfully completes three follow-up screens over the six-month period following return to duty.

The MCO shall obtain documentation demonstrating compliance with these requirements.

## Training Requirements

NEMT drivers shall complete the following training requirements prior to transporting any Medicaid enrollees:

- ❖ Defensive driving, utilizing an in-person course (online courses are not acceptable) of no less than four hours, to be renewed every three years, at a minimum;
- ❖ Cardiopulmonary resuscitation (CPR), culminating in an active certification issued by a licensed instructor;
- ❖ Child passenger restraint systems, including installation and usage in compliance with La. R.S. 32:295;
- ❖ Wheelchair securement and Passenger Assistance Safety and Sensitivity (PASS), utilizing an in-person course, to be renewed every two years, at a minimum; and
- ❖ Health Insurance Portability and Accountability Act (HIPAA) privacy and security.

The MCO shall obtain supporting documentation and ensure compliance with driver training requirements.

## Vehicle Requirements

The MCO shall ensure that each vehicle authorized to transport enrollees under the NEMT program attains compliance with all vehicle requirements prior to transporting any Medicaid enrollees and maintains compliance thereafter.

## General Requirements

The transportation provider shall own or lease its vehicles. The MCO shall obtain documentation that the vehicle is registered in the name of the company.

The MCO shall ensure that vehicles meet the following minimum requirements:

- ❖ Windshield in good condition and free of vision impairments;

- ❖ Active LA inspection sticker or, if applicable, the inspection sticker for vehicles operating in Orleans and Jefferson Parish;
- ❖ Certificate of Public Necessity and Convenience (CPNC) for each vehicle operating in New Orleans and NEMT permit for each vehicle operating in Jefferson Parish;
- ❖ Signage on the appropriate sides of the vehicle (see *Signage*);
- ❖ License plate, with an active registration sticker;
- ❖ Vehicle Identification Number (VIN) on a portion of the vehicle;
- ❖ Registration and insurance card secured in the vehicle;
- ❖ Functioning air conditioning and heating in the front and rear of the vehicle;
- ❖ Functioning seatbelts;
- ❖ Seat belt cutter secured in the vehicle within the driver's reach;
- ❖ Fire extinguisher, showing the pressure gauge is reading within the manufacturer's optimal setting, secured in the vehicle; and
- ❖ MCO or its transportation broker's decal, displaying the date the vehicle passed inspection, attached to the vehicle.

Stretcher vans, two-door vehicles, and pickup trucks are not allowable vehicle types. Salvage title vehicles are also not allowed.

If the vehicle is equipped to transport wheelchairs, the MCO must ensure that it complies with all applicable Americans with Disabilities Act (ADA) requirements, including requirements for restraints, tie-downs, lifts, and ramps.

The MCO shall require NEMT providers to notify the MCO of any newly added vehicles in order for the MCO to properly inspect and credential the vehicle prior to use within the NEMT Program. Providers must submit copies of vehicle registration and Certificate of Insurance (COI) for all newly added vehicles. Providers operating in New Orleans or Jefferson Parish must also submit copies of their appropriate municipal or parochial permits.

## Signage

Each vehicle must have signage that displays the name and the telephone number of the enrolled provider and the vehicle number. The signage must be located on the driver side, passenger side, and, if a van, on the rear of the vehicle. Signs must not be affixed to the windows where they would interfere with the vision of the driver.

Vehicles funded by the Louisiana Department of Transportation and Development (DOTD) are required to have the DOTD transit logo displayed on them. This logo will be accepted as appropriate signage for enrollment in the NEMT program.

Vehicles operating in Orleans Parish must use their Orleans Parish Certificate of Public Necessity and Convenience (CPNC) number as their vehicle number. The CPNC number must meet Orleans Parish regulations for size, contrast of color, and location.

## License Plates

Each NEMT vehicle must have a "for hire", "public", or "public handicapped" license plate, in accordance with La. R.S. 45:181 and 49:121. The vehicle must be licensed in the provider's business name when obtaining the license plate.

## Vehicle Inspections

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The MCO must perform an inspection prior to the vehicle being placed into the NEMT Program and annually thereafter.

The inspection must ensure that the vehicle meets all items covered under the Louisiana Highway Regulatory Act and functions as intended by the manufacturer.

Vehicle inspections shall be documented electronically and include digitized photographs evidencing that requirements have been met, including, but not limited to:

- ❖ Each side of the vehicle and appropriate signage;
- ❖ LA inspection sticker which should also include the vehicle VIN;
- ❖ Clear and legible license plate, registration sticker, VIN, and registration and insurance cards;
- ❖ Location of the seat belt cutter and fire extinguisher, including a pressure gauge reading;
- ❖ Active use of a temperature gun directed at a vent measuring the temperature of the air conditioning/heating of the front vent and rear vent, when one is present, of the vehicle. The reading should be no hotter than 52 degrees Fahrenheit when measuring the air conditioning nor cooler than 100 degrees Fahrenheit when measuring the heater;
- ❖ Interior of the vehicle showing all seat belts secured properly; and
- ❖ The MCO's decal, displaying the date the vehicle passed inspection, attached to the vehicle.

If the vehicle is equipped to transport wheelchairs, the inspector shall ensure that the wheelchair lift and all backup mechanisms are in working order. Digital photographs of the following are also required:

- ❖ Wheelchair secured showing proper application of the securements to the base; and
- ❖ Wheelchair shoulder and lap belt properly secured with the wheelchair in frame for reference.

All vehicle identifying information must be captured during the inspection to include VIN, year, make, model, vehicle color, license plate number, date of inspection, name and signature of inspector, and inspection results.

## Unannounced Compliance Reviews

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In an ongoing effort to identify and remedy non-compliant behavior, LDH or the MCO may perform unannounced vehicle compliance reviews. During these reviews, providers may be monitored for driver, vehicle, and program compliance which includes, but is not limited to, the examination of all provider manifests, signature pages, drivers' licenses, vehicle registration, insurance cards, vehicle safety checks, etc. Non-compliance with any of the aforementioned may result in sanctions, suspension, and/or exclusion from the LA Medicaid Program. Providers do NOT have the right to refuse an unannounced compliance review.

## Provider Responsibilities

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The MCO shall ensure that transportation providers comply with the following provider responsibilities.

## Travel and Wait Times

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Transportation providers must perform services in a timely and professional manner. The MCO shall ensure that providers meet the following standards:

- ❖ Enrollees must arrive at least 15 minutes, but no more than two hours, prior to their appointments;
- ❖ Enrollees shall be picked up no more than two hours after the appointment has concluded; and
- ❖ Enrollees shall not be in the vehicle for more than one hour beyond the estimated travel time.

## Vehicle Operation Requirements, Safety, and Professionalism

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The MCO shall ensure that drivers project responsible, professional, and courteous behavior by monitoring compliance of the following requirements.

Drivers must **exercise the utmost safety** in caring for enrollees while transporting them and guard against becoming insensitive to their physical and emotional conditions.

Drivers must ensure:

- ❖ The equipment and vehicle used are kept clean and serviceable at all times;
- ❖ All laws of the State of Louisiana are observed while transporting passengers; and
- ❖ The vehicle is safe and in good operating condition.

NOTE: A vehicle must not be driven unless the driver determines that the following parts and accessories are in good working order: vehicle brakes, parking brakes, steering mechanism, lighting devices and reflectors, tires, horn, windshield wipers, and mirrors.

Drivers must:

- ❖ Not use or be under the influence of alcohol within four hours before going on duty or while operating, or having physical control of, a vehicle.
- ❖ Not be under the influence of an amphetamine of any formulation thereof, a narcotic drug or any derivative thereof, or other substance to a degree which renders the driver incapable of safely operating a vehicle.
- ❖ Come to a complete stop at all railroad crossings.
- ❖ Utilize the proper procedures required to move enrollees into and out of the vehicle equipped to transport non-ambulatory, wheelchair enrollees.
- ❖ Ensure that all passengers are wearing seatbelts or are otherwise secured. If the passenger uses a wheelchair during transport, the driver must ensure the appropriate use of an occupant restraint system. Lap positioning belts and chest straps are not sufficient safety restraints for wheelchair passengers.
- ❖ Ensure that no smoking or vaping occurs in the vehicle as in accordance with current Occupational, Safety and Health Administration (OSHA) regulations.
- ❖ Always turn the engine off when fueling a motor vehicle, and never fuel the vehicle where there is smoke or an open flame.
- ❖ Ensure that vehicles are not towed or pushed with passengers on board.

Drivers shall ensure the proper installation and usage of the child passenger restraint systems in compliance with La. R.S. 32:295. Non-compliance with these laws may result in immediate suspension of the driver and/or provider.

## Emergency Action Procedure

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If an emergency arises while transporting an enrollee, the driver must immediately assess the situation and determine whether to:

- ❖ Stop the vehicle and assist with the emergency;
- ❖ Proceed immediately to the nearest medical facility; or
- ❖ Call 911 for emergency medical assistance.

If the enrollee is taken to an emergency medical facility, the driver must immediately notify the MCO or its transportation broker and a member of the enrollee's family. When driving to the emergency medical facility, the driver should remain calm and alert and drive as quickly as conditions permit for safe vehicle operation.

## Incident Reporting Requirements

Drivers who are involved in an incident shall notify emergency services immediately and in accordance with La. R.S. 32:398.

The transportation provider must report the following to the MCO:

Reporting Requirements	Reporting Period
For all motor vehicle accidents: <ul style="list-style-type: none"> <li>• Time, date, location, and summary of incident;</li> <li>• Provider name;</li> <li>• Driver and vehicle information;</li> <li>• Enrollee name, Medicaid ID number, and contact information;</li> <li>• Name and contact information for all other passengers;</li> <li>• Injuries sustained;</li> <li>• Names and contact information of witnesses;</li> <li>• Any police issued citations or summons; and</li> <li>• Results of drug screen which was conducted within 12 hours of the incident.</li> </ul>	Within 72 hours of the accident
Copy of the Louisiana Uniform Motor Vehicle Accident Report	Within 15 business days of the accident
Written report of all incidents when a Medicaid enrollee dies or is injured while in the provider's care, regardless of the cause	Within 72 hours of the incident

If the MCO contracts with a transportation broker, the transportation broker shall provide a detailed accounting of each incident to the MCO upon notification by the provider.

## Record Keeping

The MCO shall require transportation providers to maintain sufficient documentation to identify the enrollees transported, trips made, locations traveled, driver qualifications, vehicle capabilities, and safety information.

The MCO shall maintain in electronic format all records necessary to establish and validate claims, including but not limited to pre-approval information, trip dispatch and passenger records, and provider, driver, and vehicle compliance records.

## Draft Daily Trip Log

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The MCO shall obtain a daily trip log from profit and non-profit transportation providers that captures the following information:

- ❖ Trip identification number;
- ❖ Enrollee's name, Medicaid ID number, address, and signature;
- ❖ Destination address;
- ❖ Healthcare provider or facility's name, if applicable;
- ❖ Departure date and time;
- ❖ Arrival date and time;
- ❖ Driver's name;
- ❖ VIN; and
- ❖ Any other comments regarding the trip.

The daily trip log shall be maintained in electronic format and sorted chronologically.

Prior to reimbursement, the MCO shall verify that each claim from a profit or non-profit transportation provider has a corresponding entry in the daily trip log.

## Draft Gas Reimbursement Form

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The MCO shall obtain a gas reimbursement form for **every** NEMT claim from a gas reimbursement provider to be eligible for reimbursement. The gas reimbursement form must be typed or written in ink and include the following information:

- ❖ Trip identification number;
- ❖ Driver's full name;
- ❖ Driver's residential address;
- ❖ Driver's phone number;
- ❖ Driver's email address (if applicable);
- ❖ Driver's relationship to enrollee;
- ❖ Enrollee's name;
- ❖ Enrollee's Medicaid ID number;
- ❖ Enrollee's address;
- ❖ Transportation date;
- ❖ Name of facility/medical provider;
- ❖ Address of facility/medical provider;
- ❖ Phone number of facility/medical provider;
- ❖ Signature of driver attesting that the information on the form is true and correct;
- ❖ Signature of enrollee or parent/guardian attesting that the information on the form is true and correct;
- ❖ Medical facility/physician's signature and date; and
- ❖ Medical facility's stamp.

Prior to reimbursement, the MCO shall verify that each claim from a gas reimbursement provider has a corresponding and properly completed gas reimbursement form.

## Claims and Encounters

### Claims Filing

Transportation providers shall submit all transportation claims to the MCO. Claims shall be submitted within 365 days of the date of service.

The MCO shall maintain a system that accepts electronic claim submissions and may not require providers to submit paper claims.

The MCO shall conduct audits to verify that transportation claims have associated healthcare service claims and report to LDH any potential fraud or abuse.

### Encounter Submissions

The MCO shall submit encounters in compliance with the contract and the **MCO System Companion Guide**.

The MCO shall submit encounters for bus passes (e.g., daily pass, monthly pass) using procedure code A0110.

The MCO shall flag value-added benefits in accordance with the **MCO System Companion Guide**.

### Ambulance

Ambulance transportation is emergency or non-emergency medical transportation provided to Medicaid enrollees to and/or from a Medicaid provider for a medically necessary Medicaid covered service when the enrollee's condition is such that use of any other method of transportation is contraindicated or would make the enrollee susceptible to injury. The MCO shall not cover ambulance services when another means of transportation could be utilized without endangering the individual's health.

To participate in the Medicaid program, ambulance providers must meet the requirements of La. R.S. 40:1135.3. Licensing by the LDH Bureau of Emergency Medical Services is also required. Services must be provided in accordance with state law and regulations governing the administration of these services. Additionally, licensure is required for the medical technicians and other ambulance personnel by the LDH Bureau of Emergency Medical Services.

Reimbursement to ambulance providers shall be no less than the published Medicaid FFS rate in effect on the date of service, unless mutually agreed upon by the MCO or its transportation broker and the transportation provider in the provider agreement.

Terms utilized in the published Medicaid fee schedule are defined as follows:

- ❖ **Basic Life Support (BLS)**<sup>5</sup>: Emergency medical care administered to the EMT-basic scope of practice.
- ❖ **Advanced Life Support (ALS)**<sup>6</sup>: Emergency medical care administered to at least the level of an emergency medical technician-paramedic's scope of practice.

<sup>5</sup> Defined by *Louisiana Administrative Code*, Title 48, Part I, Section 6001.

<sup>6</sup> Defined by *Louisiana Administrative Code*, Title 48, Part I, Section 6001. Refer to 42 C.F.R. §414.605 for the distinction between ALS levels 1 and 2.

- ❖ **Specialty Care Transport**<sup>7</sup>: Interfacility transportation of a critically injured or ill beneficiary by a ground ambulance vehicle, including medically necessary supplies and services, at a level of service beyond the scope of the EMT-Paramedic.

The MCO shall reimburse ambulance providers for mileage to the nearest appropriate facility. Reimbursement for mileage will vary depending on whether the transport is for an emergency or non-emergency event. Reimbursement for mileage shall be limited to actual mileage from point of pick up to point of delivery. Mileage can only be reimbursed for miles traveled with the enrollee in the ambulance.

Refer to the *Hospital Services* section of this Manual for policies related to hospital-based ambulance services.

## Emergency Ambulance Transportation

Emergency ambulance transportation is provided for a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in any of the following:

- ❖ Placing the health of the enrollee (or, with respect to a pregnant woman, the health of the woman or her unborn child) in serious jeopardy;
- ❖ Serious impairment to bodily functions; or
- ❖ Serious dysfunction of any bodily organ or part.

An enrollee may also require emergency ambulance transportation if he or she is psychiatrically unmanageable or needs restraint.

The MCO shall ensure that ambulance providers retain documentation that appropriately supports that at least one of these criteria was met and that the enrollee would be susceptible to injury using any other method of transportation. An ambulance trip that does not meet at least one of these criteria would be considered a nonemergency service and must be coded and billed as such.

The MCO may not require prior review or authorization for emergency ambulance transportation.

The MCO shall reimburse for oxygen and disposable supplies separately when medically necessary.

## Ambulance Treatment in Place

Ambulance providers that are dispatched by an emergent call for service may determine upon the scene that a telehealth visit with a licensed medical professional, who is enrolled in Medicaid, is more appropriate than transportation to an emergency department. In this case, the treatment-in-place service may be rendered.

NOTE: Treatment in place is classified as an emergency transportation service. All provisions, including criteria and documentation to support the emergency determination, from the preceding section apply.

Both the telehealth claim and the ambulance treatment-in-place claim shall be payable by the MCO. If the ambulance provider bills on behalf of the telehealth provider, the MCO shall ensure that the ambulance provider

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<sup>7</sup> Defined by 42 C.F.R. §414.605.

bills the telehealth service separately from the treatment-in-place service and in accordance with the requirements below.

## Ambulance Telemedicine/Telehealth Claims

The ambulance provider's NPI must be enrolled in Medicaid as a Professional Service (claim type 04) billing provider.

The rendering provider's NPI must be reported on the claim and enrolled in Medicaid as a licensed physician, physician assistant, or advanced practice registered nurse.

The claim must indicate place of service 02 and modifier 95.

Approved telemedicine/telehealth procedure codes for ambulance telemedicine/telehealth claims are listed in the following table:

<i>Category</i>	<i>Service</i>	<i>CPT Codes</i>
<i>Evaluation and Management, Office or Other Outpatient Service</i>	New Patient	99201, 99202, 99203, 99204, 99205
	Established Patient	99211, 99212, 99213, 99214, 99215

## Ambulance Treatment in Place Claim

The ambulance provider's NPI must be enrolled in Medicaid as an Ambulance Service (claim type 07) billing provider.

Supply codes A0382 and A0398 are payable, but mileage (A0425) and other ambulance transportation services are not payable. Claims billed with non-payable ambulance treatment in place services shall be denied.

Claims must indicate treatment in place destination code "W" in the destination position of the origin/destination modifier combination.

Valid ambulance claim modifiers for treatment in place are listed in the following table:

<i>Modifier</i>	<i>Origination Site</i>	<i>Destination</i>
<i>DW</i>	Diagnostic or therapeutic site other than P or H when these are used as origin codes	Tx-in-Place
<i>EW</i>	Residential, domiciliary, custodial facility (other than 1819 facility)	Tx-in-Place
<i>GW</i>	Hospital based ESRD facility	Tx-in-Place
<i>HW</i>	Hospital	Tx-in-Place
<i>IW</i>	Site of transfer (e.g., airport or helicopter pad) between modes of ambulance transport	Tx-in-Place
<i>JW</i>	Freestanding ESRD facility	Tx-in-Place
<i>NW</i>	Skilled nursing facility	Tx-in-Place
<i>PW</i>	Physician's office	Tx-in-Place
<i>RW</i>	Residence	Tx-in-Place
<i>SW</i>	Scene of accident or acute event	Tx-in-Place

## Emergency Transportation to Hospital During Treatment in Place

If the enrollee being treated in place has a real time deterioration in his or her clinical condition which necessitates immediate transport to an emergency department, the ambulance provider shall transport the enrollee if appropriate.

In no instance may the MCO reimburse for both an emergency transport to a hospital and an ambulance treatment-in-place service for the same incident.

## Exclusions

Medicaid does not cover “Ambulance 911-Non-emergency” services (i.e., procedure code A0226). If the enrollee’s medical condition does not present itself as an emergency in accordance with the criteria in this manual, the service may be considered a non-covered service by Medicaid.

The MCO may allow ambulance providers to bill enrollees for non-covered services only if the enrollee was informed prior to transportation, verbally and in writing, that the service was not covered by Medicaid and the enrollee agreed to accept the responsibility for payment. The MCO shall ensure that the provider obtains a signed statement or form which documents that the enrollee was verbally informed of the out-of-pocket expense.

## Non-Emergency Ambulance Transportation

Non-emergency ambulance transportation (NEAT) is provided to a Medicaid enrollee to and/or from a provider of medical services for a covered medical service when no other means of transportation is available and the enrollee is unable to ride in any other type of vehicle due to medical reasons. The nature of the trip is not an emergency, but the enrollee requires the use of an ambulance.

The enrollee’s treating physician, a registered nurse, the director of nursing at a nursing facility, a nurse practitioner, a physician assistant, or a clinical nurse specialist must certify on the Certification of Ambulance Transportation that the transport is medically necessary and describe the medical condition which necessitates ambulance services.

NEAT must be scheduled by the enrollee or a medical facility through the MCO or the ambulance provider.

- ❖ If transportation is scheduled *through the MCO*, the MCO shall verify, prior to scheduling, enrollee eligibility, that the originating or destination address belongs to a medical facility, and that a completed Certification of Ambulance Transportation form is received for the date of service. Once the trip has been dispatched to an ambulance provider and completed, the ambulance provider shall be reimbursed upon submission of the clean claim for the transport.
- ❖ If transportation is scheduled *through the ambulance provider*, the MCO shall require the ambulance provider to verify enrollee eligibility, that the originating or destination address belongs to a medical facility, and that a completed Certification of Ambulance Transportation form is received for the date of service. The MCO shall reimburse the ambulance provider only if a completed Certification of Ambulance Transportation form is submitted with the clean claim or is on file with the MCO or its transportation broker prior to reimbursement.

Mileage must be reimbursed in accordance with the type of service indicated by the licensed medical professional on the Certification of Ambulance Transportation.

The Certification of Ambulance Transportation form is located at [www.lamedicaid.com](http://www.lamedicaid.com) [link].

## Nursing Facility Ambulance Transportation

Nursing facilities are required to provide medically necessary transportation services for Medicaid enrollees residing in their facilities. Any nursing facility enrollee needing non-emergency, non-ambulance transportation services are the financial responsibility of the nursing facility. NEAT services provided to a nursing facility enrollee must include the Certification of Ambulance Transportation to be reimbursable by the MCO; otherwise, the nursing facility shall be responsible for reimbursement for such services.

## Air Ambulance

Air ambulances may be used for emergency and non-emergency ambulance transportation when medically necessary. Licensure by the LDH Bureau of Emergency Medical Services is also required. Licensure for air ambulance services is governed by La. R.S. 40:1135.8. Rotor winged (helicopters) and fixed winged emergency aircraft must be certified by BHSF in order to receive Medicaid reimbursement.

All air ambulance services must comply with state laws and regulations governing the personnel certifications of the emergency medical technicians, registered nurses, respiratory care technicians, physicians, and pilots as administered by the appropriate agency of competent jurisdiction.

The MCO shall cover air ambulance services only if:

- ❖ Speedy admission of the enrollee is essential and the point of pick-up of the enrollee is inaccessible by a land vehicle; or
- ❖ Great distances or other obstacles are involved in getting the enrollee to the nearest hospital with appropriate services.

If both land and air ambulance transport are necessary during the same trip, the MCO shall reimburse each type of provider separately according to regulations for that type of provider.

## Ambulance Memberships

The MCO shall prohibit ambulance companies that are enrolled in Medicaid from soliciting Medicaid enrollees for membership fees for a subscription plan. Solicitation of such fees is a violation of Section 1916 of the Social Security Act and regulations at 42 C.F.R. §§ 447.15 and 447.56. If such membership fees are collected, the Medicaid enrollee must be refunded in full, or the ambulance provider will be terminated from the program.

It is not a violation of the regulations when a Medicaid-enrolled ambulance company accepts membership fees if the Medicaid enrollee voluntarily subscribes to the plan.

If a Medicaid-enrolled ambulance company's subscription plan operates as an insurance policy, and the Medicaid enrollee pays the fee, the fee is treated as an insurance premium and is not in violation of Medicaid regulations.

## Return Trips and Transfers

### Return Trips

When an enrollee is transported to a hospital by ambulance on an emergency basis and is not admitted, the hospital shall request an NEMT return trip with the MCO unless the enrollee meets the medical necessity requirements for NEAT.

### Transfers

An ambulance transfer is the transport of an enrollee by ambulance from one hospital to another. The MCO shall only cover ambulance transfers when it is medically necessary for the enrollee to be transported by ambulance. The enrollee must be transported to the most appropriate hospital that can meet his or her needs.

If the physician makes the decision that the level of care required by the enrollee cannot be provided by the hospital, and the enrollee has to be transported by the provider to another hospital, the MCO shall reimburse the transportation provider for both transfers once clean claims are submitted for the transfers.

## Claims and Encounters

### Claims Filing

Ambulance providers shall submit claims using the CMS 1500 Health Insurance Claim Form (paper) or the 837P (electronic).

Ambulance providers shall submit claims for ambulance transportation to the MCO.

Claims shall be submitted within 365 days of the date of service.

### Medicaid and Medicare Part B

Services for Medicare Part B enrollees should be billed to the Medicare carrier on the Medicare claim form. Medicare will make payment and cross the claim over to the MCO for Title XIX payment.

Medicaid will not make payment on any claim denied by Medicare as not being medically necessary. Qualified Medicare Beneficiary (QMB) claims are included in this policy.

For trips that are not covered by Medicare but are covered by Medicaid, payment will not be made unless the claim is filed with the Medicare EOB attached stating the reason for denial by Medicare.

For claims that fail to cross over electronically, a hard-copy claim may be filed up to six months after the date of the Medicare EOB, provided that the claim was filed with Medicare within a year of the date of service.

Medicaid does a cost comparison of cross-over claims to determine if Medicare paid more than Medicaid for the claim. If this occurs and Medicare has paid more than Medicaid reimburses for the service, the claim will be “zero” paid and the ambulance provider will be considered paid in full. No balance may be collected from the enrollee.

## Ambulance Transportation Modifiers

When billing for procedure codes A0425-A0429 and A0433-A0434 for ambulance transportation services, the MCO shall require the provider to also enter a valid 2-digit modifier at the end of the associated 5-digit procedure code. Different modifiers may be used for the same procedure code. Spaces will not be recognized as a valid modifier for those procedures requiring a modifier. The following table identifies the valid modifiers.

<i>Modifier</i>	<i>Description</i>
<i>DD</i>	Trip from DX/Therapeutic Site to another DX/Therapeutic Site
<i>DE</i>	Trip from DX/Therapeutic Site to Residential, Domiciliary, Custodial Facility
<i>DH</i>	Trip from DX/Therapeutic Site to Hospital
<i>DI</i>	Diagnostic-Therapeutic Site/Transfer Airport Heli Pad
<i>DP</i>	Trip from DX/Therapeutic Site to Physician's Office
<i>DR</i>	Trip from DX/Therapeutic Site to Home
<i>DX</i>	Trip from DX/Therapeutic Site to MD to Hospital
<i>ED</i>	Trip from an RDC or Nursing home to DX/Therapeutic Site
<i>EH</i>	Trip from an RDC or Nursing home to Hospital
<i>EG</i>	Trip from an RDC or Nursing home to Dialysis Facility (Hospital based)
<i>EI</i>	Residential Domicile Custody Facility/Transfer Airport Heli Pad
<i>EJ</i>	Trip from an RDC or Nursing home to Dialysis Facility (non-Hospital based)
<i>EN</i>	Trip from an RDC or Nursing home to SNF
<i>EP</i>	Trip from an RDC or Nursing home to Physician's Office
<i>ER</i>	Trip from an RDC or Nursing home to Physician's Office
<i>EX</i>	Trip from RDC to MD to Hospital
<i>GE</i>	Trip from HB Dialysis Facility to an RDC or Nursing Home
<i>GG</i>	Trip from HB Dialysis Facility to Dialysis Facility (Hospital Based)
<i>GH</i>	Trip from HB Dialysis Facility to Hospital
<i>GI</i>	HB Dialysis Facility/Transfer Airport Heli Pad
<i>GJ</i>	Trip from HB Dialysis Facility to Dialysis Facility (non-Hospital Based)
<i>GN</i>	Trip from HB Dialysis Facility to SNF
<i>GP</i>	Trip from HB Dialysis Facility to Physician's Office
<i>GR</i>	Trip from HB Dialysis Facility to Patient's Residence
<i>GX</i>	Trip from HB Dialysis Facility to MD to Hospital
<i>HD</i>	Trip from Hospital to DX/Therapeutic Site

<i>Modifier</i>	Description
<i>HE</i>	Trip from Hospital to an RDC or Nursing Home
<i>HG</i>	Trip from Hospital to Dialysis Facility (Hospital Based)
<i>HH</i>	Trip from One Hospital to Another Hospital
<i>HI</i>	Hospital/Transfer Airport Heli Pad
<i>HJ</i>	Trip from Hospital to Dialysis Facility
<i>HN</i>	Trip from Hospital SNF
<i>HP</i>	Trip from Hospital to Physician's Office
<i>HR</i>	Trip from Hospital to Patient's Residence
<i>IH</i>	Transfer Airport Heli Pad/Hospital
<i>JE</i>	Trip from NHB Dialysis Facility to RDC or Nursing Home
<i>JG</i>	Trip from NHB Dialysis Facility to Dialysis Facility (Hospital Based)
<i>JH</i>	Trip from NHB Dialysis Facility to Hospital
<i>JI</i>	NHB Dialysis Facility/Transfer Airport Heli Pad
<i>JN</i>	Trip from NHB Dialysis Facility to SNF
<i>JP</i>	Trip from NHB Dialysis Facility to Physician's Office
<i>JR</i>	Trip from NHB Dialysis Facility to Patient's Residence
<i>JX</i>	Trip from NHB Dialysis Facility to MD to Hospital
<i>ND</i>	Trip from SNF to DX/Therapeutic Site
<i>NE</i>	Trip from SNF to an RDC or Nursing Home
<i>NG</i>	Trip from SNF to Dialysis Facility (Hospital based)
<i>NH</i>	Trip from SNF to Hospital
<i>NI</i>	Skilled Nursing Facility/Transfer Airport Heli Pad
<i>NJ</i>	Trip from SNF to Dialysis Facility (non-Hospital based)
<i>NN</i>	Trip from SNF to SNF
<i>NP</i>	Trip from SNF to Physician's Office
<i>NR</i>	Trip from SNF to Patient's Residence
<i>NX</i>	Trip from SNF to MD to Hospital
<i>PD</i>	Trip from a Physician's Office to DX/Therapeutic Site
<i>PE</i>	Trip from a Physician's Office to an RDC or Nursing Home
<i>PG</i>	Trip from a Physician's Office to Dialysis Facility (Hospital based)

<i>Modifier</i>	<i>Description</i>
<i>PH</i>	Trip from a Physician's Office to a Hospital
<i>PI</i>	Physician's Office/Transfer Airport Heli Pad
<i>PJ</i>	Trip from a Physician's Office to Dialysis Facility (non-Hospital based)
<i>PN</i>	Ambulance trip from the Physician's Office to Skilled Nursing Facility
<i>PP</i>	Ambulance trip from Physician to Physician's Office
<i>PR</i>	Trip from Physician's Office to Patient's Residence
<i>RD</i>	Trip from the Patient's Residence to DX/Therapeutic Site
<i>RE</i>	Trip from the Patient's Residence to an RDC or Nursing Home
<i>RG</i>	Trip from the Patient's Residence to Dialysis Facility (Hospital based)
<i>RH</i>	Trip from the Patient's Residence to a Hospital
<i>RI</i>	Residence/Transfer Airport Heli Pad
<i>RJ</i>	Trip from the Patient's Residence to Dialysis Facility (non-Hospital based)
<i>RN</i>	Trip from the Patient's Residence to Skilled Nursing Facility
<i>RP</i>	Trip from the Patient's Residence to a Physician's Office
<i>RX</i>	Trip from Patient's Residence to MD to Hospital
<i>SH</i>	Trip from the Scene of an Accident to a Hospital
<i>SI</i>	Accident Scene, Acute Event/Transfer Airport, Heli Pad
<i>TN</i>	Rural Area (for rotary wing emergency air ambulance trips only)

## Medicare Non-Covered Transportation Modifiers

The MCO shall require the following modifiers to be used when billing for transports that are non-covered services by Medicare. These modifiers may be used ONLY with procedure codes A0425-A0429 and A0433-A0434 to allow the claim to bypass the Medicare edit and process as a Medicaid claim.

<i>Modifier</i>	<i>Description</i>
<i>DD</i>	Clinic/Free-standing Facility to Clinic/Free-standing Facility
<i>DE</i>	Clinic/Free-standing Facility to Nursing Home
<i>DP</i>	Clinic/Free-standing Facility to Physician
<i>DR</i>	Clinic/Free-standing Facility to Residence
<i>ED</i>	Nursing Home to Clinic/Free-standing Facility
<i>EP</i>	Nursing Home to Physician *

<i>Modifier</i>	<i>Description</i>
<i>ER</i>	Nursing Home to Residence
<i>HP</i>	Hospital to Physician
<i>NP</i>	Skilled Nursing Facility to Physician *
<i>PD</i>	Physician to Clinic/Free-standing Facility
<i>PE</i>	Physician to Nursing Home
<i>PN</i>	Physician to Skilled Nursing Facility
<i>PP</i>	Physician to Physician
<i>PR</i>	Physician to Residence
<i>RD</i>	Residence to Clinic/Free-standing Facility
<i>RE</i>	Residence to Nursing Home
<i>RP</i>	Residence to Physician *

\* These modifiers will bypass the Medicare edit for non-emergency transports ONLY.

## Encounter Submissions

The MCO shall submit encounters in compliance with the contract and the **MCO System Companion Guide**.

## Record Retention

All documentation, data, and/or records of the MCO and transportation broker related to the provision of medical transportation services shall be retained for at least ten years, or longer if those records are subject to review, audit, or investigation or subject to an administrative or judicial action brought by or on behalf of the state or federal government. Under no circumstances shall such records be destroyed or disposed of, even after the expiration of the mandatory ten-year retention period, without the express prior written permission of LDH.

## PERSONAL CARE SERVICES

The MCO shall comply with the Personal Care Services Provider Manual chapter of the **Medicaid Services Manual** and the additional requirements below.

## Electronic Visit Verification for EPSDT PCS

The Louisiana Service Reporting Systems (LaSRS) is LDH's electronic visit verification (EVV) system for providers of Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) personal care services (PCS). Utilization of an EVV system is a federal requirement that applies to all managed care EPSDT PCS providers.

In accordance with the 21st Century Cures Act, LDH collects the following identifiable information for Home and Community-Based Services (HCBS) waiver and Louisiana Medicaid State Plan services through LaSRS:

- ❖ The type of service performed;
- ❖ The enrollee receiving the service;
- ❖ The date of the service;
- ❖ The location of service delivery;
- ❖ The individual providing the service; and
- ❖ The time the service begins and ends.

LaSRS does not “track” direct service workers—it only collects the location of service delivery at the time of clock-in and clock-out. LaSRS can be accessed by devices with internet connectivity (e.g., computer, smartphone, tablet). When a worker “clocks in” or “clocks out”, the system collects the location of the device being used at that time, as well as the time, date, individual providing the service, and the individual receiving the service. The intent of this system is to ensure that enrollees receive services authorized in their plans of care, reduce inappropriate billing/payment, safeguard against fraud, replace paper timesheets, and improve program oversight.

The MCO must require its providers to use LaSRS. The MCO must withhold or deny reimbursement for services if an EPSDT PCS provider fails to use the EVV system as directed by LDH.

## PHARMACY

The MCO shall cover all medically necessary prescription medicines on the Covered Drug List (CDL). The MCO may also cover additional pharmacy benefits, such as vaccines, diabetic supplies, and compounded drugs.

The MCO shall not cover the following excluded drugs:

- ❖ Agents when used for anorexia, weight loss, or weight gain, except orlistat.
- ❖ Agents when used to promote fertility, except vaginal progesterone when used for high-risk pregnancy to prevent premature births.
- ❖ Agents when used for symptomatic relief of cough and colds, except for antihistamine and antihistamine/decongestant combination products.

The MCO shall cover the following drugs, with restrictions:

- ❖ Agents used for cosmetic purposes or hair growth only when medical necessity has been determined.
- ❖ Select drugs for erectile dysfunction, except when used for the treatment of conditions or indications other than erectile dysfunction as approved by the FDA.

The MCO shall cover a minimum of four prescriptions per calendar month. However, it may not enact prescription limits more stringent than those in the Louisiana Medicaid State Plan. If prescription limits are enacted, the MCO shall have Point of Sale (POS) override capabilities when a greater number of prescriptions per calendar month are determined to be medically necessary by the prescriber.

Except for the use of LDH-approved generic drug substitution of branded drugs, under no circumstances shall the MCO permit the therapeutic substitution of a prescribed drug without a prescriber's authorization.

## Covered Drug List

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In accordance with 42 C.F.R. §438.3, the MCO shall maintain a Covered Drug List (CDL) which includes all outpatient drugs for which the manufacturer has entered into a federal rebate agreement and meet the standards in Section 1927 of the Social Security Act.

The CDL shall include all drugs deemed medically necessary for enrollees under the age of 21.

The CDL shall exclude only those drugs or drug categories permitted for exclusion under Section 1927(d) of the Social Security Act, with exceptions listed in the State Plan.

The CDL shall be updated at least weekly using a national drug database.

When drugs (OTC or legend) are being covered as a pharmacy benefit and offered as a value-added benefit, pharmacy encounters shall indicate such in the Character 1: Submission type (Q, F, or V) of the 4-character prefix on the ICN of the Rx encounter.

The MCO may apply Point of Sale safety and utilization edits that align with FDA indications.

Self-administered drugs dispensed by a pharmacy, including specialty pharmacies, shall be covered as a pharmacy benefit unless otherwise approved by LDH.

Physician-administered drugs that are not listed on the FFS fee schedule but for which the manufacturer has signed a federal rebate agreement shall be covered as either a pharmacy benefit or a medical benefit. If the physician administered drug is not on the FFS fee schedule, but the MCO covers as a medical benefit, then reimbursement shall be set as a minimum by the current FFS reimbursement methodology in the State Plan.

The medications listed in the U.S. Preventive Services Task Force (USPSTF) A and B Recommendations shall be payable as a pharmacy benefit and exempt from copay. Corresponding age limits may be applied.

## Preferred Drug List

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A subset of the CDL shall be the Preferred Drug List (PDL). The PDL is established by LDH and indicates the preferred and non-preferred status of covered drugs.

The PDL shall be maintained by LDH and made available on the LDH website [\[link\]](#). The MCO shall make the PDL available to its providers and enrollees through electronic prescribing tools and a static link on the MCO website to the PDL maintained on the LDH website.

LDH shall provide the MCO with a list of drugs included on the PDL by NDC number after each FFS Pharmaceutical and Therapeutics Committee (P&T) meeting and upon the Secretary's approval of P&T recommendations. Changes shall be implemented January 1 and July 1 after the P&T meeting, unless otherwise directed by LDH. LDH shall provide the MCO at least 30 days written notice prior to the implementation date of any changes to the list of drugs included on the PDL.

LDH shall monitor the rate of MCO compliance with the PDL. Compliance rate shall be defined as the number of preferred prescriptions paid (drugs classified with PA Indicators 1 & 3) divided by total prescriptions paid for drugs in therapeutic classes listed on the PDL (drugs classified with PA Indicators 1-4). The MCO shall achieve at least a 92% overall compliance rate and at least a 92% compliance rate for each medication on the brand-over-generic

list provided by LDH (calculated as brand/(brand + generic)). The PDL compliance rate shall be calculated at the sole determination of LDH. Failure to meet both of these standards may result in monetary penalties as set forth in the Contract. The MCO shall not enter into agreements with manufacturers to acquire discounts or rebates on drugs.

New drugs entering the marketplace in the PDL therapeutic classes shall be added as non-preferred until P&T reviews the drug, unless otherwise directed by LDH.

If a branded product with generic available is preferred on the PDL, the MCO shall not require the prescriber to indicate in writing that the branded product is medically necessary. The MCO shall reimburse for a brand name drug at a brand reimbursement when the brand drug is preferred. POS denial messaging for the generic entity shall indicate that the brand name is preferred.

The fiscal intermediary will post weekly drug file data for the MCO. The MCO shall have three business days after receipt of file to download and implement drug prior authorization status.

There shall be a mandatory generic substitution for all drugs, when a generic is available, unless the brand is justified with applicable DAW codes or the brand is preferred.

Claims for multi-source “Brand Name Products” that are not included in the PDL/NPDL process (drugs not listed on the Preferred Drug List on the static link), will not be subject to prior authorization. Since the manufacturers of these brand name products have signed the federal rebate agreement, these drugs must have a potential payable status. In consideration of the mandatory generic substitution, we are requiring the MCO/PBMs to allow dispense as written (DAW) codes “1”, “8” and “9” for brand name processing. We would expect these codes to accommodate the filling of a brand name product without use of prior authorization. Preferred brand over generic drugs should process with DAW 9. Brand name medically necessary from prescriber should process with a DAW 1. If the pharmacy is billing the brand because the generic is not on the market then the claim should process with a DAW 8. Denials of brand drugs (unless the Brand is a preferred drug—in or out of the process) should deny with an error code stating “generic substitution required”, mapped to NCPDP 22 (M/I Dispense as written (DAW)/Product selection code).

## Manufacturer-Derived Revenue

The MCO shall not negotiate, pursue collection of, or collect Manufacturer-Derived Revenue for prescribed drugs.

The MCO shall diligently and in good faith negotiate, maximize, and pursue collection of all Manufacturer-Derived Revenue for diabetic supplies on behalf of LDH.

The MCO shall report all Manufacturer-Derived Revenue the MCO receives, including any future Manufacturer-Derived Revenue, related to any covered drug or diabetic supply provided under this contract, according to the Financial Reporting Guide. This provision survives termination of the contract between LDH and the MCO. The MCO shall report all Manufacturer-Derived Revenue received on claims incurred prior to the termination of the contract until one hundred percent (100 percent) of earned Manufacturer-Derived Revenues specific to the contract between LDH and the MCO are paid.

Within ten (10) business days of LDH’s request, the MCO shall provide LDH with unredacted copies of or access to all books, records, and Manufacturer-Derived Revenue agreements with pharmaceutical and diabetic supply manufacturers, intermediaries, subcontractors, wholesalers, or other third parties related to this contract. This

provision applies to the MCO as well as all subcontractors. All such information shall be kept confidential by LDH and shall be exempt from disclosure under the Louisiana Public Records Law.

Within ten (10) business days of LDH's request, the MCO shall provide LDH an itemized report of all Manufacturer-Derived Revenue amounts received by the MCO and its subcontractors, if applicable, within a specified time period. This report must itemize Manufacturer-Derived Revenue by National Drug Code number and manufacturer, indicate amounts paid to the MCO, and indicate the time frames when the Manufacturer-Derived Revenue was received by the MCO or its subcontractors. The report must also indicate when the Manufacturer-Derived Revenue was paid to the MCO by the PBM, if applicable.

## Hepatitis C Project

The MCO shall follow the PDL preferred/non-preferred status and criteria. The MCO PBM shall program denials of 340B claims for all Hepatitis C direct acting anti-viral (DAA) agents. The denials shall be based on the 340B pharmacy list provided by LDH quarterly.

## Behavioral Health Specific Pharmacy Policies and Procedures

The MCO shall develop LDH approved policies and procedures that meet or exceed the following requirements:

- ❖ The MCO or its subcontractor(s) shall contract with the psychiatric facilities and residential substance use facilities so that the plans are notified upon patient admission and upon patient planned discharge from the psychiatric facility or residential substance use facilities. Prior to discharge the MCO shall be informed of the enrollee's discharge medications. The MCO shall then be responsible to override or allow all behavioral health discharge medications to be dispensed by overriding prior authorization restrictions for a ninety (90) day period. This includes, but is not limited to, naloxone, Suboxone, and long-acting injectable anti-psychotics.
- ❖ If the MCO is not notified prior to the discharge and the enrollee presents at the pharmacy with a medication issued at the time of discharge, the MCO shall provide a prior authorization override for a ninety (90) day period from the date of discharge as long as the enrollee presents the prescription within ninety (90) days of being discharged from a psychiatric and/or residential substance use facility.
- ❖ The MCO shall have a specific Suboxone, Subutex and methadone management program and approach, which shall be approved by LDH. The policy and procedure must be in accordance with current state and federal statutes in collaboration with the State Opioid Treatment Authority/LDH.
- ❖ The MCO shall have a LDH approved pharmacy management program and approach to stimulant prescribing for children under age 6, and persons age 18 or older.
- ❖ The MCO shall have a LDH approved program and approach for the prescribing of antipsychotic medications to persons under 18 years of age.
- ❖ The MCO shall use encounter, beneficiary, and prescription data to compare Medicaid physician, medical psychologist or psychiatric specialist APRN's prescribing practices to nationally recognized, standardized guidelines, including but not limited to, American Psychiatric Association Guidelines, American Academy of Pediatrics Guidelines, American Academy of Child, and Adolescent Psychiatry Practice Parameters.

## Brand Name and Generic Drugs

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Claims for multi-source “Brand Name Products” that are not included in the PDL/NPDL process (i.e., drugs not listed on the Preferred Drug List on the static link), shall not be subject to prior authorization. Since the manufacturers of these brand name products have signed the federal rebate agreement, these drugs must have a potential payable status. In consideration of the mandatory generic substitution, LDH requires the MCO/PBMs to allow dispense as written (DAW) codes “1”, “8”, and “9” for brand name processing. LDH expects these codes to accommodate the filling of a brand name product without use of prior authorization. Preferred brand over generic drugs should process with DAW 9. Brand name medically necessary from prescriber should process with a DAW 1. If the pharmacy is billing the brand because the generic is not on the market, then the claim should process with a DAW 8. Denials of brand drugs (unless the brand is a preferred drug—in or out of the process) should deny with an error code stating “generic substitution required”, mapped to NCPDP 22 (M/I Dispense as written (DAW)/Product selection code).

## Drug Utilization Review Program

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The MCO shall maintain a Drug Utilization Review (DUR) program in accordance with the Contract and the CMS Managed Care Final Rule (CMS-2390-F). The Prospective DUR Program, Retrospective DUR Program, and Educational DUR Program standards implemented by the MCO shall be consistent with the standards established by LDH in the Contract. The MCOs and Medicaid FFS will implement new and revised DUR criteria as voted on by the Medicaid DUR Board. LDH will send the MCO the approved new and revised MCO-specific DUR criteria, and the MCO shall implement within the time period established by LDH. DUR initiatives directed by LDH shall be implemented as directed or with written LDH approval of alternative programming reaching the same outcomes. DUR initiatives not or incorrectly implemented may result in monetary penalties.

Any revisions to the MCO’s DUR policy, procedures, or standards shall be approved by LDH prior to implementation. At a minimum, the MCO DUR programs shall include all Medicaid DUR Board initiatives and shall submit any new initiatives to LDH that it would like to include on the Medicaid DUR Board agenda at least 45 days in advance of the DUR Board meeting.

The MCO shall provide a detailed description of its DUR program annually to LDH to comply with CMS DUR annual reporting requirements as per the Managed Care Final Rule. The annual report to the state will be due six weeks after LDH sends the CMS template to the MCOs. The MCO shall be responsible for developing responses to any questions posed by CMS on the annual report and for coordinating its response through LDH. MCOs are required to program their claims processing systems to capture claim level data that is required by CMS for incorporation into the DUR Annual Report.

The MCO DUR program shall contain the following components:

### Prospective DUR Program

The MCO shall provide for a review of drug therapy at Point of Sale (POS) before each prescription is given to the enrollee. Screening should be performed for potential drug problems due to therapeutic duplication, drug-disease contraindications, drug-drug interactions, duration of therapy, and clinical misuse. The following parameters should be screened at POS. Inappropriate therapy should trigger edits and each edit should have its own separate denial code and description including, but not limited to: early refill, duration of therapy, therapeutic duplication,

pregnancy precaution, quantity limit (excluding opioids), quantity limit for long-acting opioids, quantity limit for short-acting opioids, diagnosis code required on selected agents, drug interactions, age limit, and dose limits. Reporting capabilities shall exist for these denial codes. The MCOs shall align their coding of NCPDP compliant POS edits and overrides with LDH. Prior authorization is not an acceptable method to override certain POS edits.

Pharmacy claims processing shall be capable of capturing diagnosis codes at the POS and utilizing codes in the adjudication process at POS. Denial of pharmacy claims could be triggered by an inappropriate diagnosis code or the absence of a diagnosis code.

The MCO shall allow pharmacist overrides on selected POS denials as instructed by LDH. Pharmacist overrides shall utilize NCPDP established standards.

The MCO should ensure the pharmacist offers to counsel the patient or caregiver. A log of receipt of prescription and the offer to counsel by the pharmacist shall be incorporated into MCO policy.

The MCOs shall follow prospective safety edits for opioids including early, duplicate and quantity limits, as specified by the state, to comply with the SUPPORT Act.

The MCOs shall follow maximum daily morphine milligram equivalents (MME) prospective safety edits, as specified by the state, to comply with the SUPPORT Act.

The MCOs shall follow the states clinical authorization criteria for monitoring and managing the appropriate use of antipsychotic medications by children enrolled under the State plan, in order to comply with the SUPPORT Act.

Early refill edit on controlled drugs shall be set at 90% used.

Each inappropriate therapy edit identified through the Prospective DUR Program shall be coded with an individual denial description, which shall be reported separately.

Some DUR prospective criteria will allow for a soft edit or a pharmacist override. MCOs shall align National Council for Prescription Drug Programs (NCPDP) compliant POS edits and overrides. When the pharmacist receives a prospective DUR alert message that requires a pharmacist's review, the MCO POS system shall have the capability to allow the pharmacist to override the alert using the appropriate NCPDP "conflict, intervention and outcome" codes or other NCPDP compliant PA/MC<sup>8</sup> override. POS overrides shall be implemented upon LDH direction. The MCO shall identify the top 10 pharmacies that have the most edit overrides and report them on the revised monthly DUR report (RX162).

Denial of pharmacy claims could be triggered by an inappropriate diagnosis code or the absence of a diagnosis code, depending on the Medicaid DUR Board approved criteria. Diagnosis codes shall be supplied by the prescriber on the prescription or transmitted verbally from the prescriber's office to the pharmacist. The pharmacist shall enter the diagnosis code at POS in NCPDP field 424-DO (diagnosis code).

MCO reporting, in accordance with the new CMS Managed Care Final Rule, shall include but not be limited to, the following:

Top drug claims data reviewed by the DUR Board (See Table 1 in FFS DUR Annual Report [\[link\]](#)):

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<sup>8</sup> Indicates that the use of the drug may be inappropriate in light of a specific medical condition that the patient has. Information about the specific medical condition was provided by the prescriber, patient, or pharmacist.

1. Top 10 prior authorization (PA) requests by drug name;
2. Top 10 PA requests by drug class;
3. Top five claim denial reasons other than eligibility (e.g., quantity limits, early refill, PA, therapeutic duplications, age limits);
4. Top 10 drug names by amount paid;
5. From data in number 4, a determination of the percentage of total drug expenditures;
6. Top 10 drug names by claim count; and
7. From data in number 6, a determination of the percentage of total claims represented by the top 10 drugs.

The MCO shall comply with all final reporting requirements and/or templates produced by CMS.

## Retrospective DUR Program

The MCO, in conjunction with LDH, shall provide for the ongoing periodic examination of claims data to identify patterns of gross overuse, abuse, potential fraud, and inappropriate or medically unnecessary care among prescribers, pharmacists, or enrollees.

Claims review must be assessed against predetermined standards while monitoring for therapeutic appropriateness. Prescribers and pharmacists should be contacted via an electronic portal or other electronic means if possible. Facsimile and mail will suffice in some instances.

Retrospective DUR initiatives shall be implemented monthly as directed by LDH. The MCOs shall follow retrospective automated claim reviews of opioid and benzodiazepines concurrent fill reviews and opioid and antipsychotic concurrent fill reviews on an annual basis, in order to comply with the SUPPORT Act. Additional retrospective DUR initiatives may be implemented by the MCO when previously approved by LDH.

At a minimum, the MCO shall implement all of the DUR Board approved retrospective initiatives. An implementation timeline for retrospective interventions will be coordinated through LDH. Retrospective interventions are defined as communication from the MCO through intervention letters to the provider when DUR criteria are met.

Intervention letters, including enrollee profiles, shall be sent to selected prescribers and/or pharmacy providers and include the following:

- ❖ Cover sheet (template will be provided by LDH);
- ❖ Response sheet (template will be provided by LDH);
- ❖ Additional enclosures, if applicable (examples include recommendations and supportive clinical guidelines if not included in cover sheet); and
- ❖ Enrollee profile. In order to display drug utilization patterns, the MCO shall generate enrollee profiles, which shall be approved by LDH and sent to the prescriber and/or pharmacy provider.
  - Enrollee profiles shall be composed of the following elements:
    - Enrollee information – name, Medicaid ID, date of birth, and gender – should be included in the header on every page;
    - Prescription claim information, including drug name; National Drug Code (NDC); prescription number; diagnosis (if provided); date of service; quantity dispensed; days' supply; pharmacy information such as name, address, and National Provider Identifier (NPI) number; and prescriber information (name, address, NPI);

- Physician administered drugs (currently optional); and
- Exception criteria and description should be displayed at the beginning of the enrollee profile (e.g., 1-Famotidine: exceeds maximum recommended dose (80 mg/day); 2-Contraindication: dorzolamide/timolol ophthalmic for patient with asthma; 3-Possibility of patient non-compliance with anti-diabetes therapy).
- Enrollee profiles shall exclude line items that contain any substance use disorder (SUD) diagnosis, drugs, and providers (such as clinicians, prescribers, and facilities) who solely treat SUD. See Code of Federal Regulations, Title 42, Chapter I, Subchapter A, Part 1 [\[link\]](#).

To determine if intervention letters are necessary, the MCO shall have a clinician, or a team of clinicians, evaluate the enrollee profile before sending the intervention letter. Clinicians shall be pharmacists, nurses, or physicians. The clinician must be familiar with current clinical guidelines. The purpose is to send only meaningful information to the prescriber/pharmacist that will enable them to improve the enrollee's care.

The MCO shall track and report prescriber/pharmacist responses to intervention letters through standing reporting established by LDH. Reporting shall include, but not be limited to, the following for the DUR annual report to CMS:

- ❖ Retrospective DUR Educational Outreach Summary. Rank of the top 10 interventions: number of hits (numerator)/number of claims (denominator). This is a year-end summary report on RetroDUR screening and educational interventions. The year-end summary reports should be limited to the top 10 problems with the largest number of exceptions including the results of RetroDUR screening and interventions.
- ❖ Summary of Medicaid DUR Board Activities. LDH or its fiscal intermediary will supply this information to the MCO for inclusion in its CMS annual report. Separately, the MCO shall include additional MCO-initiated activities which have been approved by LDH.
- ❖ Generic Drug Substitution Policies. The description of policies that may affect generic utilization percentage.
- ❖ Generic Drug Utilization Data. This includes the number of generic claims, total number of claims, and generic utilization percentage. CMS has developed an extract file from the Medicaid Drug Rebate Program Drug Product Data File identifying each NDC along with sourcing status of each drug: S (Single Source), N (Non-Innovator Multiple-Source), or I (Innovator Multiple-Source). This file will be made available by CMS to facilitate consistent reporting across states with this data request.
- ❖ Innovative Practices. Describe in detailed narrative form any innovative practices that are believed to have improved the administration of the MCO's DUR program, the appropriateness of prescription drug use, and/or have helped to control costs (i.e., disease management, academic detailing, automated prior authorizations, continuing education programs).
- ❖ E-Prescribing Activity Summary. Describe all development and implementation plans/accomplishments in the area of e-prescribing.
- ❖ Executive Summary.

Within the LDH standing report, retrospective intervention reporting shall also include but not be limited to the following for the Medicaid DUR Board (six months after the intervention letter is sent):

- ❖ Number of enrollee profiles reviewed. This is the number of enrollee profiles reviewed by the clinician. One enrollee profile is one enrollee; one enrollee profile can have more than one intervention.
- ❖ Number of enrollee profiles with intervention letters issued. More than one provider can get a letter for the same enrollee; one letter can address more than one intervention.

- ❖ Number of responses and response rate.

## Educational DUR Program

The MCO shall provide active and ongoing educational outreach programs to educate and inform prescribers and pharmacists on common drug therapy programs with the aim of improving prescribing and/or dispensing practices. The frequency of patterns of abuse and gross overutilization or inappropriate or unnecessary care among prescribers, pharmacists and recipients should be identified.

MCOs should educate prescribers, pharmacists, and enrollees on therapeutic appropriateness when overutilization or underutilization occurs. LDH expects the MCOs to use current clinical guidelines and national recommendations to alert prescribers and pharmacists of pertinent clinical data. Clinical outcomes shall be monitored by the MCO and reported to LDH on a periodic basis established by the Department.

## Lock-In Program

The MCO shall refer to the Contract for lock-in program requirements and the **Marketing and Member Education Companion Guide** for lock-in letter templates.

## Medication Therapy Management

### General Requirements

The MCO shall have established a medication therapy management (MTM) program that:

- ❖ Is comprehensive and patient-centered;
- ❖ Is designed to increase medication adherence;
- ❖ Is designed to ensure that medications are appropriately used to optimize therapeutic outcomes through improved medication use;
- ❖ Is designed to reduce the risk of adverse events from medication therapy;
- ❖ May be administered by a pharmacist or other qualified providers, such as physicians, nurse practitioners, physician assistants, or nurses;
- ❖ Shall be developed in cooperation with licensed and practicing pharmacists and physicians; and
- ❖ Shall include coordination between the MCO, the enrollee, the pharmacist and the prescriber using various means of communication.

To assess the enrollee's medication therapy, the MTM program shall include an interactive comprehensive medication review (CMR), which includes enrollee discussion and prescriber intervention if needed. This results in the creation of a written summary and is followed by frequent monitoring with further interventions as needed.

The MCO shall ensure that all requirements are met regardless of whether the MCO utilizes a contractor for MTM services. The MCO and its contractor, if applicable, shall not limit the MTM services provided for enrollees meeting MTM criteria. MTM criteria must be approved by LDH pharmacy staff. MTM shall be executed as specified herein and as directed by LDH.

## Enrollment

The MCO shall enroll targeted enrollees in an opt-out method of enrollment only. This means enrollees may choose to opt-out of the program if desired at any time.

The MCO shall auto-enroll the targeted enrollees each year when they meet the eligibility criteria, and they are considered enrolled in the MTM program unless the enrollee declines enrollment. The enrolled may refuse or decline individual services without having to disenroll from the MTM program.

## Targeted Enrollees

The MTM program may include enrollees with multiple chronic diseases or any specific chronic disease. If the MTM program is designed to target individual specific chronic diseases, then the program shall include at least three of the following:

- ❖ Behavioral health (such as Alzheimer's disease, bipolar disorder, depression, schizophrenia, or other chronic/disabling mental health conditions);
- ❖ Bone disease-arthritis (such as osteoporosis, osteoarthritis, or rheumatoid arthritis);
- ❖ Cardiovascular disease (such as dyslipidemia, heart failure, or hypertension);
- ❖ Diabetes;
- ❖ End-stage renal disease (ESRD);
- ❖ Hepatitis C infection;
- ❖ Respiratory disease (such as asthma, chronic obstructive pulmonary disease (COPD), or chronic lung disorders); and
- ❖ Substance use disorder.

The MCO should also offer MTM services to an expanded population of enrollees who do not meet the eligibility criteria but would benefit from MTM services. The MCO shall also leverage effective MTM to improve safety (e.g., increase adherence to medications, reduce the use of high-risk medications, and address issues of overutilization).

## Required MTM Services

The MCO shall offer a minimum level of MTM services to each enrollee in the program that includes all of the following:

- ❖ Interventions for both enrollees and prescribers, as needed; and
- ❖ An annual Comprehensive Medication Review (CMR) with written summaries created in a standardized format approved by LDH; and
- ❖ Targeted Medication Reviews (TMRs), when needed, with follow-up interventions when necessary.

## Comprehensive Medication Review

Comprehensive Medication Review (CMR) is a systematic process of:

- ❖ Collecting patient-specific information;
- ❖ Assessing medication therapies to identify medication-related problems;
- ❖ Developing a prioritized list of medication-related problems; and

- ❖ Creating a plan to resolve them with the patient, caregiver and/or prescriber.

The MCO shall offer a CMR to all enrollees in the MTM program at least annually.

The MCO shall offer to provide a CMR to newly targeted enrollees as soon as possible after enrollment into the MTM program, but no later than 60 days after being enrolled in the MTM program.

The enrollee's CMR shall be conducted using an interactive, person-to-person review (including prescriptions, over-the-counter medications, herbal therapies and dietary supplements) performed by a pharmacist or other qualified provider, and may result in a recommended medication action plan.

A written summary of the results of the review shall be provided to the targeted individual(s) in a standardized format approved by LDH and shall include the following:

- ❖ Any concerns the enrollee may have regarding their drug therapy;
- ❖ Purpose and instructions for use of the enrollee's medications; and
- ❖ Personal medication list (including prescription, non-prescription drugs, and supplements) which will aid in assessing medication therapy and engaging the enrollee in management of his or her drug therapy.

The MCO shall encourage enrollees to take their action plan and personal medication list from their CMR to any medical encounter (e.g., physician visit, pharmacy, or hospital admission). This summary shall serve as a valuable tool to share information across providers and help reduce duplicate therapy and drug-drug interactions.

## Targeted Medication Review

The MCO shall perform Targeted Medication Reviews (TMRs) when needed to address potential or specific medication-related problems, to assess any transition of care the enrollee may have experienced, or to monitor new, unresolved, or continued medication therapies. The findings of the TMR shall then be reviewed to determine if a follow-up intervention is needed for the enrollee or the prescriber. The MCO may determine how to tailor the follow-up intervention based on the specific needs or medication use issues of the enrollee. For example, these interventions may be person-to-person or telephonic.

## Outcomes Measurement

The MCO shall have a process in place to measure, analyze, and report the outcomes of their MTM program. This process shall include whether the goals of therapy have been reached and shall capture drug therapy recommendations and resolutions made as a result of MTM recommendations. A recommendation is defined as a suggestion to take a specific course of action related to the enrollee's drug therapy. Examples of drug therapy problem recommendations made as a result of MTM services and recommendations include, but are not limited to:

- ❖ Needs additional therapy;
- ❖ Unnecessary drug therapy;
- ❖ Dosage too high;
- ❖ Dosage too low;
- ❖ Adverse drug reaction;
- ❖ Medication non-adherence;
- ❖ Initiate drug;

- ❖ Change drug (such as product in different therapeutic class, dose, dosage form, quantity, or interval);
- ❖ Discontinue or substitute drug (such as discontinue drug, generic substitution, therapeutic substitution, or formulary substitution); or
- ❖ Medication adherence.

## Quarterly Reporting Requirements

Reporting is an important factor in determining the effectiveness of an MTM program. The MCO shall document interventions, contact attempts, number of enrollees enrolled, and other associated parameters. Report requirements include, but are not limited to the following:

- ❖ Enrollee enrollment parameters;
- ❖ Number of contact encounters and contact-related outcomes;
- ❖ Number of MTM interventions, both telephonic and face-to-face;
- ❖ Number of comprehensive medication reviews;
- ❖ Number of drug therapy problems identified, such as potential drug-drug interactions, adverse events, or the simplification of a complex regimen with the same therapeutic benefit; and
- ❖ Number of drug therapy problems resolved, such as modifications to drug dose, form, or frequency or changes in drug regimen due to identification of potential adverse event or interaction.
- ❖ If specific disease states are targeted, the MCO shall include the following:
  - ❖ Number of drug-related parameters improved, such as improved adherence in disease-specific medication regimen, modifications in drug therapy to reflect appropriate current treatment guidelines, or disease-related laboratory test monitoring;
  - ❖ Percentage of the MCO's enrollee population with each targeted disease state that received MTM services; and
  - ❖ An example of a positive outcome demonstrated by MTM interventions for each targeted disease state. Examples include improvement in blood pressure measurements, A1C levels, LDL levels, etc.

This information shall be submitted to LDH on a quarterly basis, by the 30<sup>th</sup> day of the month following the end of the reporting period.

## Mosquito Repellent Coverage

The MCO shall cover mosquito repellent as a pharmacy benefit to decrease the risk of exposure to the Zika virus.

Coverage must be provided for enrollees who are:

- ❖ Pregnant; or
- ❖ Of childbearing age (women and men ages 14-44) who are trying to conceive.

One bottle of mosquito repellent every rolling 30 days will be allowed. A prescription will be required to cover one of the following products:

<i>Product Name</i>	<i>Ounces</i>	<i>Bill As</i>	<i>UPC</i>	<i>"NDC"</i>
<i>Cutter Backwoods 25% Spray</i>	6 oz.	170 g	71121962805	71121-0962-80
<i>Cutter Skinsations 7% Spray</i>	6 oz.	177 mL	16500540106	16500-0540-10
<i>OFF! Family Care 15% Spray</i>	2.5 oz.	71 g	46500018428	46500-0710-37
<i>OFF! Deep Woods Dry 25% Spray</i>	4 oz.	113 g	46500717642	46500-0717-64

<i>OFF! Deep Woods 25% Spray</i>	6 oz.	170 g	46500018428	46500-0018-42
<i>OFF! Active 15% Spray</i>	6 oz.	170 g	46500018107	46500-0018-10
<i>Repel Sportsmen 25% Spray</i>	6.5 oz.	184 g	11423941375	11423-0941-37
<i>Repel Sportsmen Max 40% Spray</i>	6.5 oz.	184 g	11423003387	11423-0003-38
<i>Natrapel 20% Picaridin</i>	5 oz.	177 mL	44224068781	44224-0068-78
<i>Sawyer Insect Repellent 20% Picaridin</i>	4 oz.	118 mL	50716005448	50716-0005-44

## Opioid Prescription Policy

The MCO shall have an opioid prescription policy that includes the following:

- ❖ Acute Pain
  - 7-day quantity limit for opioid-naïve enrollees or Morphine Milligram Equivalent (MME) limit of 90 milligram per day, whichever is less. Opioid-naïve enrollees are enrollees with no opioid claims in the most current 90 days.
- ❖ Chronic Pain
  - Morphine Milligram Equivalent (MME) limit of 90 milligram per day for all opioid prescriptions.
- ❖ Exemptions that bypass opioid quantity limits shall include:

<i>DIAGNOSIS DESCRIPTION</i>	<i>CODE</i>
<i>Cancer</i>	<i>C00.* – C96.*</i>
<i>Palliative Care</i>	<i>Z51.5</i>
<i>Burn of second or third degree of head, face and neck</i>	<i>T20.2* – T20.3*</i>
<i>Corrosion of second or third degree of head, face and neck</i>	<i>T20.6* – T20.7*</i>
<i>Burn of second or third degree of trunk</i>	<i>T21.2* – T21.3*</i>
<i>Corrosion of second or third degree of trunk</i>	<i>T21.6* – T21.7*</i>
<i>Burn of second or third degree of shoulder and upper limb, except wrist and hand</i>	<i>T22.2* – T22.3*</i>
<i>Corrosion of second or third degree of shoulder and upper limb, except wrist and hand</i>	<i>T22.6* – T22.7*</i>
<i>Burn of second or third degree of wrist and hand</i>	<i>T23.2* – T23.3*</i>
<i>Corrosion of second or third degree of wrist and hand</i>	<i>T23.6* – T23.7*</i>
<i>Burn of second or third degree of lower limb, except ankle and foot</i>	<i>T24.2* – T24.3*</i>
<i>Corrosion of second or third degree of lower limb, except ankle and foot</i>	<i>T24.6* – T24.7*</i>
<i>Burn of second or third degree of ankle and foot</i>	<i>T25.2* – T25.3*</i>
<i>Corrosion of second or third degree of ankle and foot</i>	<i>T25.6* – T25.7*</i>
<i>Hb-SS disease with crisis</i>	<i>D57.0</i>
<i>Hb-SS disease with crisis, unspecified</i>	<i>D57.00</i>
<i>Hb-SS disease with acute chest syndrome</i>	<i>D57.01</i>
<i>Hb-SS disease with splenic sequestration</i>	<i>D57.02</i>
<i>Sickle-cell/Hb-C disease with crisis</i>	<i>D57.21</i>
<i>Sickle-cell/Hb-C disease with acute chest syndrome</i>	<i>D57.211</i>
<i>Sickle-cell/Hb-C disease with splenic sequestration</i>	<i>D57.212</i>
<i>Sickle-cell/Hb-C disease with splenic sequestration</i>	<i>D57.219</i>
<i>Sickle-cell thalassemia with crisis</i>	<i>D57.41</i>
<i>Sickle-cell thalassemia with acute chest syndrome</i>	<i>D57.411</i>
<i>Sickle-cell thalassemia with splenic sequestration</i>	<i>D57.412</i>
<i>Sickle-cell thalassemia with crisis, unspecified</i>	<i>D57.419</i>
<i>Other sickle-cell disorders with crisis</i>	<i>D57.81</i>
<i>Other sickle-cell disorders with acute chest syndrome</i>	<i>D57.811</i>
<i>Other sickle-cell disorders with splenic sequestration</i>	<i>D57.812</i>
<i>Other sickle-cell disorders with crisis, unspecified</i>	<i>D57.819</i>

# Pharmacy Copayment

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## Copayment Threshold

The MCO must have a Point of Sale edit that will apply a per-enrollee maximum monthly copayment and turn off cost sharing when maximum copayments are met.

All copay exemptions shall be applied. The fiscal intermediary provides a monthly report to the MCOs with the per-enrollee maximum monthly copayment. This will eliminate all of the risk for enrollees to exceed the 5 percent aggregate family limit.

## Exemptions for Preventive Medications

To be in compliance with the Affordable Care Act (ACA) requirements related to coverage of preventive medications, medications listed in the U.S. Preventive Services Task Force (USPSTF) A and B Recommendations should be reimbursable and exempt from pharmacy copayments. Corresponding age limits may be applied.

## Prior Authorization

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MCO prior authorization (PA) criteria shall align with FFS for drugs on the Single PDL that were filled in an outpatient pharmacy setting. LDH intends to align FFS and MCO criteria for drugs not on the Single PDL over time through the DUR board. The MCO shall have input on PA criteria development and representation on the DUR board. The MCO shall have a PA process that complies with 42 C.F.R. § 438.3(s)(6) and the following requirements.

- ❖ The MCO shall allow prescribers, and may allow pharmacies at the MCO's discretion, to submit PA requests by phone, fax or an automated process.
- ❖ The MCO shall provide access to a toll-free call center for prescribers to call to request PA for non-preferred drugs or drugs that are subject to clinical edits. If the MCO or its pharmacy benefit manager operates a separate call center for PA requests, it will be subject to the provider call center standards and monetary penalties set forth in the Contract.
- ❖ PA requests shall be approved or denied within 24 hours of receipt, seven days a week. The MCO shall notify the requesting practitioner of the approval or disapproval of the request within 24 hours. Denials of prior authorization requests or offering of an alternative medication shall be provided to the prescriber and enrollee in writing. PA denials may be appealed in accordance with the Contract.

Consistent with the requirements of Section 1927 of the Social Security Act, LDH will hold MCOs to a 99.5% compliance rate with the 24-hour PA resolution requirement. If an MCO is reporting less than 99.5% compliance on the RX055 report, justification shall be included with the report in the notes section.

The MCO shall have an automated process that allows the pharmacy to dispense without PA up to a 72-hour emergency supply of a product or full unbreakable package. At a minimum, the MCO shall allow two emergency supply fills per prescription. The MCO shall reimburse the pharmacy for both the ingredient and the dispensing fee for both fills. Emergency fills may be included in a post payment review to identify misuse.

The MCO shall prior authorize drugs with a non-preferred status on the PDL.

The MCO shall not prior authorize drugs with a preferred status on the PDL, except to align with FFS clinical edits.

For self-administered drugs, the MCO shall not prior authorize drugs not on the PDL, except to align with FFS clinical edits or as otherwise directed by LDH.

The MCO may prior authorize drugs when safety and utilization edits are exceeded when approved by LDH, except for drugs used for the treatment and prevention of HIV/AIDS. Drug utilization edits aligned through DUR initiatives shall be adhered to; however, safety and utilization edits outside of DUR initiatives may be aligned with FDA indications.

MCO prior authorization criteria and/or step therapy related to the preference of one agent over another agent within a therapeutic class listed on the PDL shall not be more restrictive than FFS.

Prior authorization and/or step therapy shall not be applied to preferred agents listed on the PDL in a manner that would disadvantage the selection of the preferred agents over other agents within the therapeutic class.

Prior authorization and/or other safety edits are allowed on physician-administered drugs.

If a PA is requested for a narrow therapeutic index (NTI) drug, every effort should be made to verify if the enrollee is currently on a specific brand/generic, then the PA shall be approved for the corresponding product. NTI drugs include: Aminophylline, Carbamazepine, Cyclosporine, Digoxin, Disopyramide, Ethosuximide, Flecainide, L-Thyroxine, Lithium, Phenytoin, Theophylline, Thyroid, Valproic Acid, and Warfarin.

Prior authorization shall not require more than two failures of preferred products.

The MCO shall override PA for selected drug products or devices at LDH's discretion, including but not limited to certain DUR initiatives.

The MCO shall not require PA for drugs with FDA indication for emergency contraception.

The MCO shall not require PA for a dosage change for any medications (including long-acting injectable antipsychotics) and other medication assisted treatment (including dosages of buprenorphine or buprenorphine/naloxone) that have been previously authorized and/or approved by the MCO, as long as the newly prescribed dose is within established FDA guidelines for that medication.

The MCO shall not penalize the prescriber or enrollee, financially or otherwise, for PA requests or other inquiries regarding prescribed medications.

An enrollee receiving a prescription drug that was on the PDL and was removed from the PDL or changed from preferred to non-preferred status shall be allowed to continue to receive that prescription drug for at least 60 days after notification. The MCO shall have 30 days after receipt of the NDC list to send out notifications of negative changes to prescribers and enrollees. Brand/generic preference changes of the same drug entity do not constitute a negative PDL change.

When a prescriber is requesting brand name medication that has a generic equivalent, the MCO can encourage a prescriber to complete the FDA Medwatch form. A Medwatch form shall not be required or considered in the PA approval/denial determination of a brand drug.

Prior authorization shall not be utilized to prefer a B-rated generic drug over an A-rated generic.

The statewide universal prior authorization form shall be posted and utilized as specified in Act 423 of the 2018 Louisiana Regular Session. In order to obtain necessary information for prior authorization processing, the following therapeutic drug classes may be considered specialty for prior authorization purposes only: Hepatitis C

Direct Acting Antiviral Agents (as directed by LDH) and Synagis. MCOs shall utilize the LDH form and criteria for these specialty classes filled in the outpatient pharmacy setting.

The MCO shall adhere to the provisions of 46:153.3(C)(1) which exempt HIV/AIDS drugs from the prior authorization process.

## 340B Policy for Claim Level Indicators

The MCO is required to submit drug-related encounter data to LDH for the purposes of collecting federal Medicaid rebates. Louisiana Medicaid must prevent duplicate discounts against drug manufacturers when 340B covered entities dispense drugs purchased through the 340B Discount Program. Federal Medicaid rebates are not allowed on 340B discount drug utilization.

340B is a federal program administered by the Health Resources and Services Administration (HRSA). HRSA's Office of Pharmacy Affairs (OPA) maintains a searchable database of all healthcare providers enrolled as 340B covered entities. Medicaid and Managed Care Medicaid claims billed by 340B covered entities that self-attest to HRSA that their Medicaid populations are carved into their 340B programs are removed from Federal Medicaid Rebate invoicing. This means the provider attests that their Medicaid claims are all 340B discount stock and are not eligible for Federal Rebate collection. Louisiana Medicaid requires a claim-level indicator be used by the billing provider in order to denote a drug claim's status as 340B. Due to the cost to charge methodology, outpatient hospital claims are excluded from the claim level indicator requirement.

MCOs should include the following requirements in contracts with 340B covered entities.

- ❖ Pharmacy 340B Drug Claims:
  - NCPDP: Bill value of "20" in the Submission Clarification Code field (420-DK).
  - NCPDP: Bill value of "08" in the Basis of Cost Determination field (423-DN).
- ❖ Outpatient/Professional Services 340B Drug Claims:
  - CMS 1450/UB04: Enter UD Modifier immediately following drug HCPCS/CPT code in field 44. For example, HCPCS J1111 billed as J1111UD.
  - CMS 1500: Enter HCPCS code in field 24C followed by the UD Modifier. 837I: Loop 2400 SV2 can send up to four modifiers SV202-3, SV202-4, SV202-5, and SV202-6.
  - 837I: Loop 2400 SV2 can send up to four modifiers SV202-3, SV202-4, SV202-5, and SV202-6
  - 837P: Loop 2400 SV1 can send up to four modifiers in SV101-3, SV101-4, SV101-5, and SV101-6.

The MCO shall deny claims at Point of Sale (POS) from 340B carved-in pharmacies that have missing or invalid claim level indicators. The MCO shall require submission of the UD modifier on 340B outpatient/professional services drug claims. Encounters shall follow requirements in the **Batch Pharmacy Encounters Companion Guide**.

## Hepatitis C Virus Direct-Acting Antiviral (DAA) Agents

The MCO shall deny claims at POS for hepatitis C direct-acting antiviral agents from 340B pharmacies carved-in to Medicaid. Claims for hepatitis C direct-acting antiviral agents from 340B carve-out pharmacies are not subject to this limitation and shall process as usual.

## Vaccines for Adults

The MCO shall allow 340B pharmacies carved-in to Medicaid to bill vaccines and administration for adults (19 years and older) at POS as a pharmacy benefit. Claim level indicators should not be required on claims for vaccines. Vaccines are not 340B or rebate eligible.

## Inpatient 340B Drug Claims

Drugs are not billed separately from the per-diem inpatient rate. Per HRSA guidelines, 340B stock must not be dispensed in an inpatient setting.

## 340B Exclusion

Only providers registered as 340B covered entities and listed on the HRSA Medicaid Exclusion File may bill drug stock purchased through 340B with these indicators. The indicator is meant to denote that the specific drug billed on the claim was obtained through the 340B discount program by the billing provider.

These modifiers should not be used by providers that are not registered 340B covered entities, or by covered entities that are not listed on the Exclusion File because they have attested that they do not use 340B drug stock for their Medicaid beneficiaries.

340B contract pharmacies are not permitted to bill 340B stock to Medicaid FFS or MCOs in Louisiana.

The MCO should deny claims at POS if the 340B indicators are on the claim, but the pharmacy is not listed in the Medicaid Exclusion File. The pharmacy should be directed to fill the claim with regular pharmacy stock with the denial.

Claims with these modifiers will be excluded from federal Medicaid rebate invoicing only when billed by 340B covered entities listed on the Medicaid Exclusion file as using their 340B drug stock for Medicaid beneficiaries.

## Emergencies

In the event of an emergency, as defined by LDH, LDH shall have the authority to require the MCOs to implement any necessary configuration modifications to pharmacy requirements within 72 hours of notification. Within 24 hours from LDH's request, the MCO shall alter or remove Point of Sale, prior authorization, or other pharmacy requirements as determined by LDH, in a manner that may be statewide or limited to certain zip codes or parishes.

For an emergency, specific changes shall be determined by LDH and may include:

- ❖ Point of Sale edits: This may include, but is not limited to, altering early refill and refill too soon edits to an educational alert (message to pharmacy only, no denial at Point of Sale) as well as altering early refill and refill too soon edits set to deny so that they return an override code to be utilized by the pharmacy if needed to bypass the edit, without the requirement of a phone call to the help desk.
- ❖ Prior authorization requirements: This may include, but is not limited to, altering prior authorization denials to an educational alert (message to pharmacy only, no denial at Point of Sale) as well as extending the expiration date of currently approved prior authorizations to a date requested by LDH.

- ❖ Quantity limitations: This may include, but is not limited to, allowing dispensing of a 90 day supply for medications specified by LDH.
- ❖ Copays: This may include, but is not limited to, waiving member copays for pharmacy claims, which shall be added back to the pharmacy reimbursement.
- ❖ Signatures: This may include, but is not limited to, removing the requirement of a signature for pick-up or delivery.
- ❖ Lock-in restrictions: This may include, but is not limited to, removing pharmacy lock-in restrictions or both pharmacy and prescriber lock-in restrictions including on a case-by-case basis.
- ❖ Any other change deemed necessary by LDH to respond to the emergency and protect enrollee health.

## PORTABLE X-RAY SERVICES

The MCO shall cover portable x-rays for enrollees who are unable to travel to a physician's office or outpatient hospital's radiology facility.

### Covered Services

The MCO shall cover specific diagnostic radiology services for an eligible enrollee to be provided in the enrollee's place of residence by an enrolled portable x-ray provider.

Covered radiographs shall be limited to:

- ❖ Skeletal films of an enrollee's limbs, pelvis, vertebral column or skull;
- ❖ Chest films which do not involve the use of contrast media; and
- ❖ Abdominal films which do not involve the use of contrast media.

NOTE: The MCO shall not reimburse for technical components of these services as a separate part of the service. Providers billing for these services must bill a full component only.

The MCO shall cover transportation of portable x-ray equipment only when the equipment used is actually transported to the location where x-ray services are provided.

The MCO shall reimburse only a single transportation payment per trip to a facility or location for a single date of service.

The MCO shall require the physician's order to clearly state the following:

- ❖ Suspected diagnosis or the reason the x-ray is required;
- ❖ Area of the body to be exposed;
- ❖ Number of radiographs ordered; and
- ❖ Precise views needed.

The enrollee's place of residence is defined as:

- ❖ The enrollee's private home;
- ❖ A nursing facility; or
- ❖ An intermediate care facility for the developmentally disabled.

## Enrollee Qualifications

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Enrollees must be home bound. Enrollees are considered to be homebound when a medical condition causes them to be unable to leave their place of residence without the use of special transportation or the assistance of another person. The place of residence may be the enrollee's own home, a nursing home or an intermediate care facility for a person with a developmental disability.

## Provider Requirements

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The MCO shall require providers to comply with the following regarding portable x-rays:

- ❖ Comply with all Medicare guidelines for portable x-ray providers;
- ❖ Maintain certification to practice radiology in the state of Louisiana;
- ❖ Enroll with Louisiana Medicaid as a portable x-ray provider; and
- ❖ Exist independently of any hospital, clinic, or physician's office.

The MCO shall ensure that portable x-ray services are provided under the general supervision of a licensed physician who is qualified by advanced training and experienced in the use of diagnostic x-rays. The supervising physician is responsible for the ongoing oversight of the quality of the testing performed, the proper operation and calibration of the equipment used to perform the tests, and the qualifications of non-physician personnel that use the equipment. Any non-physician personnel utilized by the portable x-ray provider to perform tests must demonstrate the basic qualifications and possess appropriate training and proficiency as evidence by licensure or certification.

## PROFESSIONAL SERVICES

### Abortion

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#### Induced Abortion

The use of public funds to provide induced abortion services must meet applicable state and federal laws, including the requirements of the Hyde Amendment (currently found in La. R.S. 40.1061.6 and the Consolidated Appropriations Act, 2014, Public Law 113-76, Division H, Title V, §506 and §507).

MCO coverage of induced abortion is restricted to those that meet the following criteria:

- ❖ A physician has found, and so certifies, that on the basis of his/her professional judgment, the life of the pregnant woman would be endangered if the fetus was carried to term.
- ❖ The certification statement, which must contain the name and address of the enrollee, must be attached to the claim form. The diagnosis or medical condition which makes the pregnancy life endangering must be specified on the claim.

**OR**

- ❖ In the case of terminating a pregnancy due to rape or incest the following requirements must be met:

- The enrollee shall report the act of rape or incest to a law enforcement official unless the treating physician certifies in writing that in the physician's professional opinion, the victim was too physically or psychologically incapacitated to report the rape or incest.
- The report of the act of rape or incest to a law enforcement official or the treating physician's statement that the victim was too physically or psychologically incapacitated to report the rape or incest must be submitted to the MCO along with the treating physician's claim for reimbursement for performing an abortion.
- The enrollee shall certify that the pregnancy is the result of rape or incest, and this certification shall be witnessed by the treating physician.
- The "Office of Public Health Certification of Informed Consent-Abortion" form shall be witnessed by the treating physician.

In order for Medicaid reimbursement to be made for an induced abortion, providers must attach a copy of the "Office of Public Health Certification of Informed Consent-Abortion" form to their claim form. The form is to be obtained from the Louisiana Office of Public Health via a request form [\[link\]](#) or by calling (504) 568-5330.

Claims associated with an induced abortion, including those of the attending physician, hospital, assistant surgeon, and anesthesiologist must be accompanied by a copy of the attending physician's certifications, as applicable. Therefore, the MCO shall require providers to submit only hard-copy claims for payment consideration.

All claim forms and attachments shall be retained by the MCO. The MCO shall forward a copy of the claim and its accompanying documentation to LDH if requested.

## Threatened, Incomplete or Missed Abortion

As a condition of reimbursement, claims for treatments related to a threatened, incomplete, or missed abortion must include the enrollee history and complete documentation of treatment.

Supportive documentation that will substantiate reimbursement may include one or more of the following, but is not limited to:

- ❖ Sonogram report showing no fetal heart tones;
- ❖ History indicating passage of fetus at home, en route, or in the emergency room;
- ❖ Pathology report showing degenerating products of conception; or
- ❖ Pelvic exam report describing stage of cervical dilation.

## Advanced Practice Registered Nurses: Clinical Nurse Specialists, Certified Nurse Practitioners, and Certified Nurse Midwives

An advanced practice registered nurse (APRN) must hold a current, unencumbered and valid license from the Louisiana Board of Nursing to participate in Louisiana Medicaid. A nurse licensed as an APRN includes a:

- ❖ Clinical Nurse Specialist (CNS)
- ❖ Certified Nurse Practitioner (CNP)
- ❖ Certified Nurse Midwife (CNM)

Advanced practice registered nurses shall comply with their scope of practice as authorized by Louisiana state law and regulations.

CNS/CNP/CNMs must obtain an individual Medicaid provider number and, when the rendering provider, must bill under this provider number for services rendered.

Physicians who employ or contract with CNS/CNP/CNMs must obtain a group provider number and link the individual CNS/CNP/CNM provider number to the group number.

CNS/CNP/CNMs employed or under contract to a group or facility may not bill individually for the same services for which reimbursement is made to the group or facility.

## Reimbursement

Unless otherwise excluded by the Medicaid Program, coverage of services will be determined by individual licensure, scope of practice, and terms of the physician collaborative agreement. Collaborative agreements must be available for review upon request by authorized representatives of the Medicaid program and contracted MCOs.

Immunizations, physician-administered drugs, long-acting reversible contraceptives, and Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) medical, vision, and hearing screens are reimbursed at a minimum of 100% of the physician fee on file. All other payable procedures are reimbursed at a minimum of 80% of the physician fee on file.

## After Hours Care on Evenings, Weekends, and Holidays

This policy is intended to facilitate enrollee access to services during non-typical hours primarily to reduce the inappropriate use of the hospital emergency department. The reimbursement for the evening, weekend, and holiday codes is intended to assist with coverage of the additional administrative costs associated with staffing during these times.

The *Current Procedural Terminology* (CPT) evening, weekend, and holiday codes are reimbursed in addition to the reimbursement for most outpatient evaluation and management (E&M) services when the services are rendered in settings other than hospital emergency departments during the hours of:

- ❖ Monday through Friday between 5 p.m. and 8 a.m. (when outside of regular office hours),
- ❖ Weekends (12 a.m. Saturday through midnight on Sunday), or
- ❖ State/Governor proclaimed legal holidays (12 a.m. through midnight).

Only one of the evening, weekend, and holiday codes may be submitted by a billing provider per day per enrollee. Providers should select the evening, weekend, and holiday procedure code that most accurately reflects the situation on a particular date. These codes are never reported alone, but rather in addition to another code or codes describing the service related to that enrollee's visit or encounter. The following examples illustrate the appropriate use of evening, weekend, and holiday procedure codes based on the situation described.

- ❖ If the existing office hours are Monday through Friday from 8 a.m. to 5 p.m., and the physician treats the enrollee in the office at 7 p.m., then the provider may report the appropriate basic service (E&M visit code) and evening, weekend, and holiday code.

- ❖ If the existing office hours are Monday through Friday from 8:30 a.m. to 6:30 p.m., and the physician treats the enrollee in the office at 6 p.m., then the provider may not report the evening, weekend, and holiday code.
- ❖ If an enrollee is seen in the office on Saturday during existing office hours, then the provider may report the appropriate basic service (E&M visit code) and evening, weekend, and holiday code.

Documentation in the medical record relative to this reimbursement must include the time the services were rendered.

## Reimbursement

The reimbursement for evening, weekend and holiday services is based on the following current CPT codes or their successors.

- ❖ 99050 (Services...at times other than regularly scheduled office hours...) or
- ❖ 99051 (Services ...at regularly scheduled evening, weekend, or holiday hours...).

When used, these procedure codes must be submitted with the code(s) for the associated evaluation and management services on that date.

## Allergy Testing and Allergen Immunotherapy

### Allergy Testing

The MCO shall only cover allergy testing for children and adults who have symptoms that suggest they have an allergic disease. Allergy symptoms may include, but are not limited to:

- ❖ Respiratory symptoms: itchy eyes, nose, or throat, nasal congestion, runny nose, watery eyes, chest congestion or wheezing,
- ❖ Skin symptoms: hives, generalized itchiness or atopic dermatitis, and
- ❖ Other symptoms: anaphylaxis (severe life-threatening allergic reactions) or abdominal symptoms (cramping, diarrhea) that consistently follow particular foods or stinging insect reactions (other than large local swelling at the sting site).

### Allergen Immunotherapy

The MCO's policy for allergen immunotherapy shall include the following:

- ❖ Allergen immunotherapy is only recommended for allergic asthma, allergic rhinitis and conjunctivitis, and stinging insect allergy. Immunotherapy for food allergies is not recommended. Decisions to initiate immunotherapy should be based on severity of allergy symptoms, other possible treatment options, and cost of treatment options.
- ❖ Five years of age is the youngest recommended age to begin immunotherapy. There is no upper age limit for receiving immunotherapy. However, before initiating immunotherapy in an older person, consideration must be given to other common medical conditions that could make immunotherapy more risky.

# Anesthesia

## Surgical Anesthesia

The MCO shall cover surgical anesthesia services when provided by an anesthesiologist or certified registered nurse anesthetist (CRNA).

Coverage for surgical anesthesia procedures must be based on formulas utilizing base units, time units (1 unit = 15 min) and a conversion factor as identified in the Anesthesia Fee Schedules. Minutes must be reported on anesthesia claims.

Administration of anesthesia by the provider performing the surgical procedure for a non-obstetrical surgery shall not be covered.

The MCO shall require the following modifiers to be used to submit surgical anesthesia services:

Modifier	Servicing Provider	Surgical Anesthesia Service
AA	Anesthesiologist	Anesthesia services performed personally by the anesthesiologist
QY	Anesthesiologist	Medical direction* of one CRNA
QK	Anesthesiologist	Medical direction* of two, three, or four concurrent anesthesia procedures involving qualified individuals
QX	CRNA	CRNA service with direction* by an anesthesiologist
QZ	CRNA	CRNA service without medical direction* by an anesthesiologist

\*See *Medical Direction* for further explanation.

The following are acceptable uses of modifiers:

- ❖ Modifiers which can stand alone: AA and QZ;
- ❖ Modifiers which need a partner: QK, QX and QY; and
- ❖ Valid combinations: QK and QX, or QY and QX.

## Medical Direction

Medical direction is defined as:

- ❖ Performing a pre-anesthetic examination and evaluation;
- ❖ Prescribing the anesthesia plan;
- ❖ Participating personally in the most demanding procedures in the anesthesia plan, including induction and emergence;
- ❖ Ensuring that any procedures in the anesthesia plan that he/she does not perform are rendered by a qualified individual;
- ❖ Monitoring the course of anesthesia administration at frequent intervals;
- ❖ Remaining physically present and available for immediate diagnosis and treatment of emergencies; and
- ❖ Providing the indicated post-anesthesia care.

The MCO shall reimburse only anesthesiologists for medical direction.

## Maternity-Related Anesthesia

The MCO shall cover maternity-related anesthesia services when provided by anesthesiologists, CRNAs, or the delivering physician.

The MCO shall require the delivering physician to use CPT codes in the Surgery Maternity Care and Delivery section of the CPT manual to bill for maternity-related anesthesia services.

Reimbursement for these services shall be a flat fee, except for general anesthesia for vaginal delivery.

The MCO shall require the following modifiers to be used when providing maternity-related anesthesia services:

Modifier	Servicing Provider	Service Performed
AA	Anesthesiologist	Anesthesia services performed personally by the anesthesiologist
QY	Anesthesiologist	Medical direction* of one CRNA
QK	Anesthesiologist	Medical direction* of two, three, or four concurrent anesthesia procedures
QX	CRNA	CRNA service with medical direction* by an anesthesiologist
QZ	CRNA	CRNA service without medical direction* by an anesthesiologist
47	Delivering Physician	Anesthesia provided by delivering physician
52	Delivering Physician or Anesthesiologist	Reduced services
QS	Anesthesiologist or CRNA	Monitored anesthesia care service The QS modifier is a secondary modifier only, and must be paired with the appropriate anesthesia provider modifier (either the anesthesiologist or the CRNA). The QS modifier indicates that the provider did not introduce the epidural for anesthesia, but did monitor the enrollee after catheter placement.

\*See Medical Direction section for further explanation.

## Add-on Codes for Maternity-Related Anesthesia

When an add-on code is used to fully define a maternity-related anesthesia service, the MCO shall require the date of delivery be the date of service for both the primary and add-on code.

An add-on code in and of itself is not a full service and typically cannot be reimbursed separately to different providers. The exception is when more than one provider performs services over the duration of labor and delivery.

A group practice frequently includes anesthesiologists and/or CRNA providers. One member may provide the pre-anesthesia examination/evaluation, and another may fulfill other criteria. The MCO shall require that the medical record indicate the services provided and identify the provider who rendered the service.

## Maternity-Related Anesthesia

Reimbursement for maternity-related procedures, other than general anesthesia for vaginal delivery, shall be a flat fee.

The MCO shall ensure that minutes be reported on all maternity-related anesthesia claims.

The MCO shall require providers to follow the chart below when billing for maternity-related anesthesia.

Type of Anesthesia	CPT Code	Modifier	Reimbursement	Service
Vaginal Delivery General Anesthesia	01960	Valid Modifier	Formula	Anesthesiologist performs complete service, or direction of the CRNA
				CRNA performs complete service with or without direction by Anesthesiologist
Epidural for Vaginal Delivery	01967	AA, QY or QK for MD; QX or QZ for CRNA	Flat Fee	See modifier list for maternity-related services
Cesarean Delivery only (epidural or general)	01961	AA, QY or QK for MD; QX or QZ for CRNA	Flat Fee	See modifier list for maternity-related services
Cesarean Delivery after Epidural, for planned vaginal delivery	01967 + 01968	AA, QY or QK for MD; QX or QZ for CRNA	Flat Fee plus add-on	See modifier list for maternity-related services
Cesarean Hysterectomy after Epidural and Cesarean Delivery	01967 + 01969	AA, QY or QK for MD; QX or QZ for CRNA	Flat Fee plus add-on	See modifier list for maternity-related services
Epidural – Vaginal Delivery	59409 59612	47	Fee for delivery plus additional reimbursement for anesthesia	Delivering physician provides the entire service for vaginal delivery
Epidural – Vaginal Delivery	59409 59612	47 and 52	Fee for delivery plus additional reimbursement for anesthesia	Introduction only by the delivering physician
Epidural – Vaginal Delivery	01967	AA and 52	Flat Fee	Introduction only by anesthesiologist
Epidural – Vaginal Delivery	01967	AA and QS for MD; QZ and QS or QX and QS for CRNA	Flat Fee	Monitoring by anesthesiologist or CRNA
Cesarean Delivery	59514 59620	47 and 52	Fee for delivery plus additional reimbursement for anesthesia	Introduction only by the delivering physician
Cesarean Delivery – after Epidural	01961	AA and 52	Flat Fee	Introduction only by the anesthesiologist
Cesarean Delivery-following Epidural for planned vaginal delivery	01967 + 01968	AA and 52	Flat Fee plus add-on	Introduction only by the anesthesiologist
Cesarean Delivery – after Epidural	01961	AA and QS for MD; QZ and QS or QX and QS for CRNA	Flat Fee	Monitoring by the anesthesiologist or CRNA
Cesarean Delivery-following Epidural for planned vaginal delivery	01967 + 01968	AA and QS for MD; QZ and QS or QX and QS for CRNA	Flat Fee plus add-on	Monitoring by the anesthesiologist or CRNA

## Anesthesia for Tubal Ligation or Hysterectomy

Anesthesia reimbursement for tubal ligations and hysterectomies shall be formula-based, with the exception of anesthesia for cesarean hysterectomy (CPT code 01969).

The reimbursement for CPT codes 01967 and 01969, when billed together, shall be a flat fee. CPT code 01968 is implied in CPT code 01969 and should not be placed on the claim form if a cesarean hysterectomy was performed after cesarean section delivery.

## Pediatric Moderate (Conscious) Sedation

Moderate sedation does not include minimal sedation (anxiolysis), deep sedation or monitored anesthesia care.

Moderate sedation coverage shall be restricted to enrollees from birth to age 13. Exceptions to the age restriction shall be made for children who have severe developmental disabilities; however, no claims shall be considered for enrollees 21 years of age or older.

Moderate sedation includes the following services (which are not to be reported/billed separately):

- ❖ Assessment of the enrollee (not included in intra-service time);
- ❖ Establishment of intravenous (IV) access and fluids to maintain patency, when performed;
- ❖ Administration of agents;
- ❖ Maintenance of sedation;
- ❖ Monitoring of oxygen saturation, heart rate and blood pressure; and
- ❖ Recovery (not included in intra-service time).

Intra-service time starts with the administration of the sedation agents, requires continuous face-to-face attendance, and ends at the conclusion of personal contact by the physician providing the sedation.

The MCO shall reimburse a second physician other than the healthcare professional performing the diagnostic or therapeutic when the second physician provides moderate sedation in a facility setting (e.g., hospital, outpatient hospital, ambulatory surgical center, skilled nursing facility). However, moderate sedation services performed by a second physician in a non-facility setting (e.g., physician office, freestanding imaging center) should not be reported.

## Provider Claims Filing

The MCO's policy for filing of claims related to anesthesia services shall include the following.

### Anesthesia Time

Anesthesia time begins when the provider begins to prepare the enrollee for induction and ends with termination of the administration of anesthesia. Time spent in pre- and postoperative care may not be included in the total anesthesia time.

## Multiple Surgical Procedures

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Anesthesia for multiple surgical (non-OB) procedures in the same anesthesia session must be billed on one claim line using the most appropriate anesthesia code with the total anesthesia time spent reported in item 24G on the claim form. The only secondary procedures that are not to be billed in this manner are tubal ligations and hysterectomies.

## Vaginal Delivery – Complete Anesthesia Service by Delivering Physician

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The delivering physician should submit a claim for the delivery and anesthesia on a single claim line with modifier.

## Assistant Surgeon/Assistant at Surgery

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The MCO shall reimburse for **only one** assistant at surgery. The assistant to the surgeon should be a qualified physician. However, in those situations when a physician does not serve as the assistant, qualified, enrolled, advanced practice registered nurses and physician assistants may function in the role of an assistant at surgery and submit claims for their services under their Medicaid provider number.

Physicians serving as the assistant are to use the modifier “80” on the procedure code(s) representing their services.

Advanced practice registered nurses, certified nurse midwives, and physician assistants are to use the modifier “AS” when reporting their services as the only assistant at surgery.

## Bariatric Surgery

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Bariatric surgery consists of open or laparoscopic procedures that revise the gastrointestinal anatomy to restrict the size of the stomach, reduce absorption of nutrients, or both.

## Eligibility Criteria

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The MCO shall cover bariatric surgery when medically necessary, as determined by meeting all of the following criteria:

- ❖ The enrollee has received a preoperative evaluation within the previous 12 months that is conducted by a multidisciplinary team including, at a minimum, a physician, nutritionist or dietician, and a licensed qualified mental health professional. For enrollees under the age of 18, the multidisciplinary team must have pediatric expertise. For all enrollees, the preoperative evaluation must document all of the following:
  - A determination that previous attempt(s) at weight loss have been unsuccessful and that future attempts, other than bariatric surgery, are not likely to be successful; and
  - A determination that the enrollee is capable of adhering to the post-surgery diet and follow-up care; and
  - For individuals capable of becoming pregnant, counseling to avoid pregnancy preoperatively and for at least 12 months postoperatively and until weight has stabilized.
- ❖ Enrollees age 18 and older must have:
  - A body mass index equal to or greater than 40 kg/m<sup>2</sup>, or more than 100 pounds overweight; or

- A body mass index of greater or equal to 35 kg/m<sup>2</sup> with one or more comorbidities related to obesity:
  - Type 2 diabetes mellitus,
  - Cardiovascular disease (e.g., stroke, myocardial infarction, poorly controlled hypertension (systemic blood pressure greater than 140 mm Hg or diastolic blood pressure 90 mm Hg or greater, despite pharmacotherapy),
  - History of coronary artery disease with a surgical intervention such as coronary artery Bypass or percutaneous transluminal coronary angioplasty,
  - History of cardiomyopathy,
  - Obstructive sleep apnea confirmed on polysomnography with an AHI or RDI of  $\geq 30$ , or
  - Any other comorbidity related to obesity that is determined by the preoperative evaluation to be improved by weight loss; or
- A body mass index of 30 to 34.9 kg/m<sup>2</sup> with type 2 diabetes mellitus if hyperglycemia is inadequately controlled despite optimal medical control by oral or injectable medications.
- ❖ Enrollees age 13 through 17 years old must have:
  - A body mass index equal to or greater than 40 kg/m<sup>2</sup> or 140% of the 95<sup>th</sup> percentile for age and sex, whichever is lower; or
  - A body mass index of 35 to 39.9 kg/m<sup>2</sup> or 120% of the 95<sup>th</sup> percentile for age and sex, whichever is lower, with one or more comorbidities related to obesity:
    - Obstructive sleep apnea confirmed on polysomnography with an AHI  $> 5$ ,
    - Type 2 diabetes mellitus,
    - Idiopathic intracranial hypertension
    - Nonalcoholic steatohepatitis,
    - Blount's disease,
    - Slipped capital femoral epiphysis,
    - Gastroesophageal reflux disease,
    - Hypertension, or
    - Any other comorbidity related to obesity that is determined by the preoperative evaluation to be improved by weight loss.
- ❖ The MCO shall review the medical necessity of requests for bariatric surgery for enrollees under the age of 13 on a case-by-case basis.

## Panniculectomy Subsequent to Bariatric Surgery

The MCO shall cover panniculectomy after bariatric surgery when medically necessary, as determined by the following criteria:

- ❖ The enrollee had bariatric surgery at least 18 months prior and the enrollee's weight has been stable for at least 6 months; and
- ❖ The pannus is at or below the level of the pubic symphysis; and
- ❖ The pannus causes significant consequences, as indicated by at least one of the following:
  - Cellulitis, other infections, skin ulcerations, or persistent dermatitis that has failed to respond to at least 3 months of non-surgical treatment; or
  - Functional impairment such as interference with ambulation.

## Breast Surgery

### Mastectomy

The MCO shall cover mastectomy and breast conserving surgery when medically necessary.

Risk-reducing mastectomy to prevent cancer shall be considered medically necessary for enrollees that meet all of the following criteria:

- ❖ A high risk of breast cancer, as defined by one or more of the following:
  - Positive genetic mutation that is known or likely to confer a high risk of breast cancer (e.g., *BRCA1* and *BRCA2*) where risk-reducing mastectomy is recommended by National Comprehensive Cancer Network guidelines; or
  - Significant family history, as defined by meeting the family history criteria listed under “Breast and Ovarian Cancer” within the “Genetic Testing” policy; or
  - Prior thoracic radiation therapy at an age less than 30 years old; and
- ❖ A life expectancy greater than or equal to 10 years.

### Breast Reconstruction

The MCO shall cover reconstructive breast surgery after a therapeutic intervention (e.g., mastectomy) or trauma resulting in significant loss of breast tissue.

The following services shall be considered medically necessary:

- ❖ Reconstruction of the affected breast;
- ❖ Reconstruction of the contralateral breast to produce a symmetrical appearance;
- ❖ Prostheses (implanted, external, or both); and
- ❖ Treatment of complications of the reconstruction.

All prosthetic implants must be FDA approved and used in compliance with all FDA requirements at the time of the surgery.

### Reduction Mammoplasty and Removal of Breast Implants

The MCO shall cover reduction mammoplasty and removal of breast implants for the purpose of breast reconstruction under the above breast reconstruction policy.

Reduction mammoplasty for purposes other than reconstruction shall be considered medically necessary when all of the following criteria are met:

- ❖ Pubertal breast development is complete;
- ❖ A diagnosis of macromastia with at least two of the following symptoms for at least a 12-week duration:
  - Chronic breast pain
  - Headache
  - Neck, shoulder, or back pain

- Shoulder grooving from bra straps
- Upper extremity paresthesia due to brachial plexus compression syndrome, secondary to the weight of the breasts being transferred to the shoulder strap area
- Thoracic kyphosis
- Persistent skin condition such as intertrigo in the inframammary fold that is unresponsive to medical management
- Congenital breast deformity;
- ❖ There is a reasonable likelihood that the symptoms are primarily due to macromastia; and
- ❖ The amount of breast tissue to be removed is reasonably expected to alleviate the symptoms.

Removal of breast implants for purposes other than reconstruction shall be considered medically necessary for the following indications:

- ❖ Visible capsular contracture causing pain (Baker Grade IV)
- ❖ Diagnosed or suspected implant rupture
- ❖ Local or systemic infection
- ❖ Siliconoma or granuloma
- ❖ Implant extrusion
- ❖ Interference with the diagnosis or treatment of breast cancer
- ❖ Breast implant-associated anaplastic large cell lymphoma

If an indication for medically necessary removal of breast implants is present unilaterally, removal of the contralateral breast implant shall also be considered medically necessary when performed during the same operative session.

When the procedure is not reconstructive and is performed solely for the purpose of altering the appearance of the breast, reduction mammoplasty and removal of breast implants shall be considered cosmetic and not medically necessary.

## Chiropractic Services

The MCO shall cover chiropractic manipulative treatment for enrollees under 21 years of age when medically necessary and upon referral from an EPSDT medical screening primary care provider.

## Cochlear Implants

The MCO shall cover cochlear implants for enrollees under 21 years of age when medically necessary. The MCO shall cover unilateral or bilateral cochlear implants when deemed medically necessary for the treatment of profound-to-total bilateral sensorineural hearing loss. Enrollees must be considered for a bilateral cochlear implantation when it has been determined that a unilateral cochlear implant with a hearing aid in the contralateral ear will not result in a binaural benefit.

## Coverage Requirements

Coverage for cochlear implants shall include, but is not limited to, the following:

- ❖ Implantation of device;

- ❖ Preoperative speech and language evaluation;
- ❖ Postoperative rehabilitative costs (only to be provided by the audiologist);
- ❖ Subsequent speech, language and hearing therapy;
- ❖ Speech processor repairs, batteries, and headset cords;
- ❖ Replacement of the external speech processor if lost, stolen or irreparably damaged. Upgrade for cosmetic or technological advances in the hardware shall not qualify as a reason for replacement; and
- ❖ Post-operative programming and diagnostic analysis.

The following are non-covered expenses:

- ❖ Service contract and/or extended warranties; and
- ❖ Insurance to protect against loss and theft.

## Prior Authorization

The MCO shall require a prior authorization (PA) request to be submitted by the cochlear implant team with results of all preoperative testing (audiogram, tympanogram, acoustic reflexes, auditory brainstem response, otoacoustic emission, speech and language evaluation, social/psychological evaluation, medical evaluation and other pertinent testing/evaluations) to the MCO's PA Unit.

The implant team is a multidisciplinary team comprised with a minimum of the following members:

- ❖ Physician/otologist;
- ❖ Audiologist;
- ❖ Speech/language pathologist;
- ❖ Psychiatrist; and
- ❖ Educator of the deaf (with experience in oral/auditory instruction).

## Medical and Social Criteria

The MCO shall require the requestor to provide documentation that the candidate meets the following general criteria:

- ❖ Have a profound bilateral sensorineural hearing loss with pure tone average of 1000, 2000, and 4000Hz of 90dB HL or greater;
- ❖ Be a child age one year or older who is profoundly deaf or be a post linguistically deafened adult through the age of twenty years;
- ❖ Receive no significant benefit from hearing aids as validated by the cochlear implant team;
- ❖ Have a high motivation to be part of the hearing community as validated by the cochlear implant team;
- ❖ Have had radiologic studies that demonstrate no intracranial anomalies or malformations which contraindicate implantation of the receiver- stimulator or the electrode array;
- ❖ Have no medical contraindication for the undergoing implant surgery or post-implant rehabilitation; and
- ❖ Show that the enrollee and his or her family are well-motivated, have appropriate post-implant expectations and are prepared and willing to participate and cooperate in the pre and post implant assessment and rehabilitation programs recommended by the implant team and in conjunction with the Food and Drug Administration (FDA) guidelines.

## Age-Specific Criteria

### Children – 1 Year through 9 Years

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In addition to the documentation that candidates meet the above listed general criteria, the MCO shall require the requestor to provide documentation that the enrollee:

- ❖ Has a profound-to-total bilateral sensorineural hearing loss which is a pure tone average of 1000, 2000, and 4000 Hz of 90 dB HL or greater;
- ❖ Had appropriate tests administered and no significant benefit from a hearing aid was obtained in the best aided conditions measured by age appropriate speech perception materials; and
- ❖ Had no responses obtained to Auditory Brainstem Response, otoacoustic emission testing, or any other special testing that would be required to determine that the hearing loss is valid and severe enough to qualify for cochlear implantation.

### Children – 10 Years through 17 Years

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In addition to the documentation that candidates meet the above listed general criteria, the MCO shall require the requestor to provide documentation that the enrollee:

- ❖ Has a profound-to-total bilateral sensorineural hearing loss which is a pure tone average of 1000, 2000, and 4000 Hz of 90dB HL or greater;
- ❖ Had appropriate tests administered and no significant benefit from a hearing aid was obtained in the best aided condition as measured by age and language appropriate speech perception materials;
- ❖ Had no responses obtained to Auditory Brainstem Response, otoacoustic emission testing, or any other special testing that would be required to determine that the hearing loss is valid and severe enough to qualify for cochlear implantation;
- ❖ Has received consistent exposure to effective auditory or phonological stimulation in conjunction with the oral method of education and auditory training;
- ❖ Utilizes spoken language as the primary mode of communication through one of the following: an oral/aural (re) habilitation program or total communications educational program with significant oral/aural; and
- ❖ Has at least six months experience with a hearing aid or vibrotactile device except in the case of meningitis (in which case the six month period will be reduced to three months).

### Adults – 18 Years through 20 Years

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In addition to the documentation that candidates meet the above listed general criteria, the MCO shall require the requestor to provide documentation that the enrollee:

- ❖ Is post linguistically deafened with severe to profound bilateral sensorineural hearing loss which is pure tone average of 1000, 2000, and 4000 Hz of 90 dB HL or greater;
- ❖ Has obtained no significant benefit from a hearing aid obtained in the best aided condition for speech/sentence recognition material;

- ❖ Had no responses obtained to Auditory Brainstem Response, otoacoustic emission testing, or any other special testing that would be required to determine that the hearing loss is valid and severe enough to qualify for cochlear implantation;
- ❖ Has received consistent exposure to effective auditory or phonological stimulation or auditory communication;
- ❖ Utilizes spoken language as his primary mode of communication through either an oral/aural (re)habilitation program or a total communications educational program with significant oral/aural training; and
- ❖ Has at least 6 months experience with hearing aids or vibrotactile device except in the case of meningitis in which case 3 months experience will be required.

## Concurrent Care – Inpatient

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The MCO shall cover inpatient concurrent care when an enrollee's condition requires the care of more than one provider on the same day and the services rendered by each individual provider are medically necessary and not duplicative.

The MCO shall separately reimburse providers from different specialties/subspecialties, whether from the same group or a different group. Each provider from a different specialty/subspecialty can be reimbursed for one initial hospital visit per admission plus a maximum of one subsequent hospital visit per day.

Within the same specialty/subspecialty, only one provider can be reimbursed for one initial hospital visit per admission and, subsequently, only one provider can be reimbursed for a maximum of one subsequent hospital visit per day.

The MCO shall reimburse only the provider responsible for discharging the enrollee for hospital discharge services on the discharge day.

## Diabetes Self-Management Training

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The MCO shall cover diabetes self-management training (DSMT) services which, at a minimum, must include the following:

- ❖ Instructions for blood glucose self-monitoring;
- ❖ Education regarding diet and exercise;
- ❖ Individualized insulin treatment plan (for insulin dependent enrollees); and
- ❖ Encouragement and support for use of self-management skills.

DSMT must be aimed at educating enrollees on the following topics to promote successful self-management:

- ❖ Diabetes overview, including current treatment options and disease process;
- ❖ Diet and nutritional needs;
- ❖ Increasing activity and exercise;
- ❖ Medication management, including instructions for self-administering injectable medications (as applicable);
- ❖ Management of hyperglycemia and hypoglycemia;
- ❖ Blood glucose monitoring and utilization of results;

- ❖ Prevention, detection, and treatment of acute and chronic complications associated with diabetes (including discussions on foot care, skin care, etc.);
- ❖ Reducing risk factors, incorporating new healthy behaviors into daily life, and setting goals to promote successful outcomes;
- ❖ Importance of preconception care and management during pregnancy;
- ❖ Managing stress regarding adjustments being made in daily life; and
- ❖ Importance of family and social support.

All educational material must be pertinent and age appropriate for each enrollee. Parents or legal guardians can participate in DSMT rendered to their child, but all claims for these services must be submitted under the child's Medicaid coverage.

## Provider Qualifications

DSMT is not a separately recognized provider type and the MCO shall require that DSMT services be provided and reimbursed under the direction of a physician, advanced practice registered nurse, or physician assistant.

## Accreditation

The MCO shall require providers of DSMT services to be accredited by one of the following national accreditation organizations:

- ❖ American Diabetes Association (ADA),
- ❖ American Association of Diabetes Educators (AADE), or
- ❖ Indian Health Service (IHS).

The MCO shall not cover services provided by providers without proof of accreditation from one of the listed organizations.

At a minimum, providers of DSMT services must include at least one registered dietician, registered nurse, or pharmacist. Each enrollee of the instructional team must be a Certified Diabetes Educator (CDE) or have recent didactic and experiential preparation in education and diabetes management, and at least one member of the instructional team must be a CDE who has been certified by the National Certification Board for Diabetes Educators (NCBDE). The MCO shall require providers to maintain and provide proof of certification of staff members as requested by LDH or its fiscal intermediary.

**All DSMT services must adhere to the National Standards for Diabetes Self-Management Education.**

## Coverage Requirements

The MCO shall cover DSMT for eligible enrollees who have been diagnosed with type 1, type 2, or gestational diabetes mellitus and who have an order from a provider involved in the management of their diabetes, such a primary care provider or obstetrician.

The MCO shall require the ordering provider to maintain a copy of all DSMT orders. Each order must be signed and must specify the total number of hours being ordered, not to exceed the following coverage limitations:

- ❖ A **maximum** of 10 hours of initial training (one hour of individual and nine hours of group sessions) are allowed during the first 12-month period beginning with the initial training date.
- ❖ A **maximum** of two hours of individual sessions are allowed for each subsequent year.

If special circumstances occur in which the ordering provider determines an enrollee would benefit from individual sessions rather than group sessions, the order must also include a statement specifying that individual sessions would be more appropriate, along with an explanation.

If a DSMT order must be modified, the updated order must be signed by the ordering provider and copies must be retained in the medical record.

## Medicaid Enrollees Not Eligible for DSMT

The following enrollees are not eligible for DSMT:

- ❖ Enrollees residing in an inpatient hospital or other institutional setting such as an nursing care facility or a residential care facility; and
- ❖ Enrollees receiving hospice services.

## Initial DSMT

The MCO's policy for initial DSMT shall include the following:

- ❖ Initial DSMT may begin after receiving the initial order. DSMT is allowed for a continuous 12-month period following the initial training date. In order for services to be considered initial, the enrollee must not have previously received initial or follow up DSMT.
- ❖ The 10 hours of initial training may be provided in any combination of 30-minute increments over the 12-month period. The MCO should not reimburse for sessions lasting less than 30 minutes.
- ❖ Group sessions may be provided in any combination of 30-minute increments. Sessions less than 30 minutes are not covered. Each group session must contain between 2-20 enrollees.

## Follow-Up DSMT

After receiving 10 hours of initial training, an enrollee shall be eligible to receive a maximum of two hours of follow-up training each year, if ordered. The MCO shall cover additional training for enrollees under age 21 if determined to be medically necessary and documented in the record.

Follow-up training is based on a **12-month calendar year following completion of the initial training**. If an enrollee completes 10 hours of initial training, the enrollee shall be eligible for two hours of follow-up training for the next calendar year. If all 10 hours of initial training are not used within the first calendar year, then the enrollee shall have 12 months to complete the initial training prior to follow up training.

- ❖ Example #1:
  - An enrollee receives his or her first training in April and completes the initial 10 hours by April of the next year. The enrollee would be eligible for two hours of subsequent training beginning in May, since that would be the 13<sup>th</sup> month. If the enrollee completes the two hours of subsequent training in November of that same year, then additional training cannot begin until January (the next calendar year).

❖ Example #2:

- An enrollee receives his or her first training in February and exhausts all 10 hours of initial training by November. The enrollee would be eligible for two hours of subsequent training beginning in January. If the enrollee completes the two subsequent hours of training by May, then additional training cannot begin until January of the following year.

Providers are expected to communicate with enrollees to determine if the enrollee has previously received DSMT services or has exhausted the maximum hours of DSMT services for the given year.

The MCO shall cover 10 hours of initial training (for the first 12 months) and two hours of follow-up training (for each subsequent year) regardless of the providers of service.

## Provider Responsibilities

Providers must ensure the following conditions are met in order to receive MCO reimbursement:

- ❖ The enrollee meets one of the following requirements:
  - Is a newly diagnosed diabetic, gestational diabetic, pregnant with a history of diabetes, or has received no previous diabetes education;
  - Demonstrates poor glycemic control ( $A1c > 7$ );
  - Has documentation of an acute episode of severe hypoglycemia or hyperglycemia occurring in the past 12 months; or
  - Has received a diagnosis of a complication, a diagnosis of a co-morbidity, or prescription for new equipment such as an insulin pump.
- ❖ The provider maintains the following documentation requirements:
  - A copy of the order for DSMT from the enrollee's ordering provider;
  - A comprehensive plan of care documented in the medical record;
  - Start and stop time of services;
  - Clinical notes, documenting enrollee progress;
  - Original and ongoing pertinent lab work;
  - Individual education plan;
  - Assessment of the individual's education needs;
  - Evaluation of achievement of self-management goals;
  - Proof of correspondence with the ordering provider regarding the enrollee's progress; and
  - All other pertinent documentation.

Enrollee records, facility accreditation, and proof of staff licensure, certification, and educational requirements must be kept readily available to be furnished, as requested, to Louisiana Medicaid, its authorized representatives, or the state's Attorney General's Medicaid Fraud Control Unit.

## Reimbursement

The MCO shall reimburse for DSMT services based on the Professional Services Fee Schedule, at a minimum. The following Healthcare Common Procedure Coding System (HCPCS) codes or their successors are used to bill DSMT services:

- ❖ G0108-Diabetes outpatient self-management training services, individual, per 30 minutes

- ❖ G0109-Diabetes self-management training services, group session (two or more) per 30 minutes

NOTE: Services provided to pregnant women with diabetes must be billed with the “TH” modifier.

## Early and Periodic Screening, Diagnostic, and Treatment Preventive Services Program

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The Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) program is a comprehensive and preventive child health program for individuals under the age of 21. The program consists of two mutually supportive, operational components: (1) ensuring the availability and accessibility of required healthcare services; and (2) helping Medicaid enrollees and their parents or guardians effectively use these resources. The intent of the EPSDT program is to direct attention to the importance of preventive health services and early detection and treatment of identified problems.

**Enrollees under 21 years of age are entitled to receive all medically necessary health care, screening, diagnostic services, treatment, and other measures to correct or improve physical or mental conditions (Section 1905(r) of the Social Security Act).** The EPSDT benefit is comprehensive in nature and includes coverage of all services described in federal Medicaid statutes and regulations including those that are not covered for adults, not explicitly described in the Contract, not included in the Medicaid FFS fee schedules, and not covered in the Louisiana Medicaid State Plan. The MCO shall consult LDH with any questions about these requirements.

The MCO shall have written procedures for EPSDT preventive services in compliance with 42 C.F.R. Part 441 Subpart B-Early and Periodic Screening, Diagnosis, and Treatment (EPSDT), as well as be in compliance with the Centers for Medicare and Medicaid Services (CMS) State Medicaid Manual, Part 5 – EPSDT. These articles outline the requirements for EPSDT, including assurance that all EPSDT eligible enrollees are notified of EPSDT available services; that necessary screening, diagnostic, and treatment services are available and provided; and that tracking or follow-up occurs to ensure all necessary services were provided to all of the MCO’s enrollees under the age of 21.

### Screening

Enrollee screening includes medical (including developmental and behavioral health), vision, hearing, and dental screenings.

The MCO’s policy shall include the following EPSDT screening guidelines, as age appropriate. The MCO shall ensure that these guidelines are followed by its providers.

### Periodic Screening

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Louisiana Medicaid has adopted the “Recommendations for Preventive Pediatric Health Care” periodicity schedule promulgated by the American Academy of Pediatrics (AAP)/Bright Futures with two exceptions:

- ❖ The Louisiana Medicaid EPSDT screening guidelines and policies are for individuals under 21 years of age; and
- ❖ Louisiana Medicaid has stricter requirements for lead assessment and blood lead screening in keeping with LAC 48:V.7005-7009. Based on surveillance data gathered by the State Childhood Lead Poisoning

Prevention Program and review by the state health officer and representatives from medical schools in the state, all parishes in Louisiana are identified as high risk for lead poisoning.

- The MCO shall ensure children ages six months to 72 months are screened in compliance with Louisiana Medicaid EPSDT requirements and in accordance with practices consistent with current Centers for Disease Control and Prevention guidelines, which include the following specifications:
  - Administer a risk assessment questionnaire at every well child visit;
  - Use a blood test to screen all children at ages 12 months and 24 months or at any time from ages 36 months to 72 months, if they have not been previously screened; and
  - Use a venous blood sample to confirm results when finger stick samples indicate blood lead levels  $\geq 15$   $\mu\text{g}/\text{dl}$  (micrograms per deciliter).
- The MCO's policy must require providers to report a lead case to the Office of Public Health's Childhood Lead Poisoning Prevention Program [\[link\]](#) **within 24 working hours**. A lead case is indicated by a blood lead test result of  $>15$   $\mu\text{g}/\text{dl}$ .

The AAP Bright Futures "Recommendations for Preventive Pediatric Health Care" can be found on the American Academy of Pediatrics' website [\[link\]](#).

The MCO shall ensure that providers have access to the most current periodicity schedule and that EPSDT enrollees receive services according to this schedule.

NOTE: LDH will use encounter data submissions to determine the MCO's compliance with the state's established EPSDT goals of ensuring that 80% of eligible members under the age of 21 are receiving EPSDT well-child visits in accordance with the periodicity schedule for that FFY.

## Off-Schedule Screening

If a child misses a regular periodic screening, that child may be screened off-schedule in order to bring the child up to date at the earliest possible time. However, all screenings performed on children who are under two years of age must be at least 30 days apart, and those performed on children age two through six years of age must be at least six months apart.

## Interperiodic Screening

Interperiodic screenings may be performed if medically necessary. The parent/guardian or any medical provider or qualified health, developmental, or education professional that comes into contact with the child outside the formal healthcare system may request the interperiodic screening.

An interperiodic screening may only be provided if the enrollee has received an age-appropriate medical screening. If the medical screening has not been performed, then the provider must perform an age-appropriate medical screening.

An interperiodic screening includes a complete unclothed exam or assessment, health and history update, measurements, immunizations, health education and other age-appropriate procedures.

An interperiodic screening may be performed and billed for a required Head Start physical or school sports physical, but must include all of the components required in the periodic screening.

Documentation must indicate that all components of the screening were completed. Medically necessary laboratory, radiology, or other procedures may also be performed and may be billed separately. A well diagnosis is not required.

## Medical Screening

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Components of the EPSDT medical screenings include the following:

- ❖ A comprehensive health and developmental history (including assessment of both physical and mental health and development);
- ❖ A comprehensive unclothed physical exam or assessment;
- ❖ Appropriate immunizations according to age and health history (unless medically contraindicated or parents/guardians refuse at the time);
- ❖ Laboratory tests (including appropriate neonatal, iron deficiency anemia, and blood lead screening); and
- ❖ Health education (including anticipatory guidance).

NOTE: All components, including specimen collection, must be provided on-site during the same medical screening visit.

The services shall be available both on a regular basis, and whenever additional health treatment or services are needed. EPSDT screenings may identify problems needing other health treatment or additional services.

### Neonatal/Newborn Screening for Genetic Disorders

The MCO shall include in its manuals the directive that providers are responsible for obtaining the results of the initial neonatal screening by contacting the hospital of birth, the health unit in the parish of the mother's residence, or through the Office of Public Health (OPH) Genetics Diseases Program's web-based Secure Remote Viewer (SRV) [\[link\]](#).

If screening results are not available, or if newborns are screened prior to 24 hours of age, newborns must have another newborn screen. The newborn infant must be rescreened at the first medical visit after birth, preferably between one and two weeks of age, but no later than the third week of life.

Initial or repeat neonatal screening results must be documented in the medical record for all children less than six months of age. Children over six months of age do not need to be screened unless it is medically indicated. When a positive result is identified from any of the conditions specified in LAC, Book Two of Two: Part V. Preventive Health Services Subpart 18. Disability Prevention Program Chapter 63. Newborn Heel Stick Screening §6303, and a private laboratory is used, the provider must immediately notify the Louisiana OPH Genetics Disease Program.

For newborn screening for severe combined immunodeficiency (SCID), the MCO shall cover testing under CPT code 81479. This code is only to be used for this purpose and until such a time as a permanent procedure code is in place.

## Vision Screening

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### Subjective Vision Screening

The subjective vision screening is part of the comprehensive history and physical exam or assessment component of the medical screening and must include the history of any:

- ❖ Eye disorders of the child or the child's family;
- ❖ Systemic diseases of the child or the child's family which involve the eyes or affect vision;
- ❖ Behavior on the part of the child that may indicate the presence or risk of eye problems; and
- ❖ Medical treatment for any eye condition.

## Objective Vision Screening

Objective vision screenings may be performed by trained office staff under the supervision of a licensed physician, physician assistant, registered nurse, advanced practice registered nurse, or optometrist. The interpretive conference to discuss findings from the screenings must be performed by a licensed physician, physician assistant, registered nurse, or advanced practice registered nurse.

Objective vision screenings begin at age three. The objective vision screening must include tests of:

- ❖ Visual acuity (Snellen Test or Allen Cards for preschoolers and equivalent tests such as Titmus, HOTV or Good Light, or Keystone Telebinocular for older children);
- ❖ Color perception (must be performed at least once after the child reaches the age of six using polychromatic plates by Ishihara, Stilling, or Hardy-Rand-Ritter); and
- ❖ Muscle balance (including convergence, eye alignment, tracking, and a cover-uncover test).

## Hearing Screening

### Subjective Hearing Screening

The subjective hearing screening is part of the comprehensive history and physical exam or assessment component of the medical screening and must include the history of:

- ❖ The child's response to voices and other auditory stimuli;
- ❖ Delayed speech development;
- ❖ Chronic or current otitis media; and
- ❖ Other health problems that place the child at risk for hearing loss or impairment.

### Objective Hearing Screening

The objective hearing screenings may be performed by trained office staff under the supervision of a licensed audiologist or speech pathologist, physician, physician assistant, registered nurse, or advanced practice registered nurse. The interpretive conference to discuss findings from the screenings must be performed by a licensed physician, physician assistant, registered nurse, or advanced practice registered nurse.

Objective hearing screenings must be performed in accordance with recommendations as indicated by the National Center for Hearing Assessment and Management (NCHAM) and the National Early Hearing Detection and Intervention (EHDI) standards.

## Dental Screening

An oral health risk assessment must be performed per the Bright Futures periodicity schedule.

Refer to the Dental Services Provider Manual chapter of the **Medicaid Services Manual** for additional information pertaining to EPSDT dental services.

## Developmental and Autism Screening

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The MCO shall cover developmental and autism screenings administered during EPSDT preventive visits in accordance with the American Academy of Pediatrics (AAP)/Bright Futures periodicity schedule. The MCO shall also cover developmental and autism screenings performed by primary care providers when administered at intervals outside EPSDT preventive visits if they are medically indicated for an enrollee at-risk for, or with a suspected, developmental abnormality. The MCO shall include in its manuals the requirements below.

The MCO will only reimburse the use of age-appropriate, caregiver-completed, and validated screening tools as recommended by the AAP.

If an enrollee screens positive on a developmental or autism screen, the provider must give appropriate developmental health recommendations, refer the enrollee for additional evaluation, or both, as clinically appropriate. Providers must document the screening tool(s) used, the result of the screen, and any action taken, if needed, in the enrollee's medical record.

Developmental screening and autism screening are currently reimbursed using the same procedure code. Providers may only receive reimbursement for one developmental screen and one autism screen per day of service. To receive reimbursement for both services performed on the same day, providers may submit claims for 2 units of the relevant procedure code.

## Perinatal Depression Screening

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The MCO shall cover perinatal depression screening administered to an enrollee's caregiver in accordance with the American Academy of Pediatrics/Bright Futures periodicity schedule. The screening can be administered from birth to 1 year during an Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) preventive visit, interperiodic visit, or E&M office visit. This service is a recommended, but not required, component of well-child care. The MCO shall include in its manuals the requirements below.

Perinatal depression screening must employ one of the following validated screening tools:

- ❖ Edinburg Postnatal Depression Scale (EPDS)
- ❖ Patient Health Questionnaire 9 (PHQ-9)
- ❖ Patient Health Questionnaire 2 (PHQ-2) and, if positive, a full PHQ-9

Documentation must include the tool used, the results, and any follow-up actions taken. If an enrollee's caregiver screens positive, the provider must refer the caregiver to available resources, such as their primary care provider, obstetrician, or mental health professionals, and document the referral. If screening indicates possible suicidality, concern for the safety of the caregiver or enrollee, or another psychiatric emergency, then referral to emergency mental health services is required.

Though the screening is administered to the caregiver, the MCO shall reimburse this service under the child's Medicaid coverage. If 2 or more children under age 1 present to care on the same day (e.g., twins or other siblings both under age 1), the provider must submit the claim under only one of the children. When performed on the

same day as a developmental screening, providers must append modifier -59 to claims for perinatal depression screening.

## Immunizations

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The MCO shall include in its manuals the requirements below around immunizations. Appropriate immunizations (unless medically contraindicated or the parents/guardians refuse) are a federally required medical screening component.

The MCO must ensure that all Medicaid-enrolled providers that provide Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) well child preventive screenings are enrolled in the Vaccines for Children (VFC) program and utilize VFC vaccines for enrollees aged birth through 18 years of age.

The MCO shall ensure that enrollees receive age appropriate immunizations as described above during their periodic or interperiodic preventive visit or other appropriate opportunity. The current Childhood Immunization Schedule recommended by Advisory Committee on Immunizations Practices (ACIP), American Academy of Pediatrics (AAP), and American Academy of Family Physicians (AAFP), which is updated annually, must be followed. Providers are responsible for obtaining current copies of the schedule. The MCO shall ensure that enrollees receive immunizations per the schedule.

NOTE: Refer to the *Immunizations* section of this Manual for additional information.

## Laboratory

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The MCO shall include in its manuals the requirements below around laboratory screening. Age-appropriate laboratory tests are required at selected age intervals. Documented laboratory procedures provided less than six months prior to the medical screening must not be repeated unless medically necessary. Iron deficiency anemia screening when required is included in the medical screening fee and must not be billed separately.

## Diagnosis and Treatment

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Screening services are performed to ensure that health problems are found, diagnosed, and treated early before becoming more serious and treatment more costly. Providers are responsible for identifying any general suspected conditions and reporting the presence, nature, and status of the suspected conditions.

The MCO's policy shall include the following diagnosis and treatment guidelines. The MCO shall ensure that these guidelines are followed by its providers.

## Diagnosis

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When a screening indicates the need for further diagnosis or evaluation of a child's health, the child must receive a complete diagnostic evaluation within 60 days of the screening or sooner as medically necessary.

The MCO's policy shall require the provider to make any necessary referrals of the enrollee to a specialist. The MCO shall maintain a referral system with an adequate provider network to support the provider in making the referrals and to support the enrollee in accessing the services. It is responsibility of the MCO to ensure that the enrollee receives the diagnostic services required.

## Initial Treatment

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Medically necessary health care, initial treatment, or other measures needed to correct or ameliorate physical or mental illnesses or conditions discovered in a medical, vision, or hearing screening must be initiated within 60 days of the screening or sooner if medically necessary.

### Providing or Referring Enrollees for Services

Providers detecting a health or mental health problem in a screening must either provide the services indicated or refer the enrollee for care. Providers who perform the diagnostic and/or initial treatment services should do so at the screening appointment when possible, but must ensure that enrollees receive the necessary services within 60 days of the screening or sooner if medically necessary.

Providers who refer the enrollee for care must make the necessary referrals at the time of screening. This information must be maintained in the enrollee's record.

The MCO's policy shall require the provider to make any necessary referrals of the enrollee to a specialist. The MCO shall maintain a referral system with an adequate provider network to support the provider in making the referrals and to support the enrollee in accessing the services. It is the responsibility of the MCO to ensure that the enrollee receives the treatment services required.

## Dental Treatment

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### Fluoride Varnish Application

Fluoride varnish applications are covered when provided in a physician office setting (including RHCs and FQHCs) once every six months for enrollees six months through five years of age. Providers eligible for reimbursement of this service include physicians, physician assistants, and nurse practitioners who have reviewed the Smiles for Life fluoride varnish training module [\[link\]](#) and successfully completed the post assessment. Physicians are responsible to provide and document training to their participating staff to ensure competency in fluoride varnish applications.

Fluoride varnish applications may only be applied by the following disciplines:

- ❖ Appropriate dental providers;
- ❖ Physicians;
- ❖ Physician assistants;
- ❖ Nurse practitioners;
- ❖ Registered nurses;
- ❖ Advanced practice registered nurses;
- ❖ Licensed practical nurses; or
- ❖ Certified Medical Assistants.

NOTE: Refer to the Dental Services Provider Manual chapter of the **Medicaid Services Manual** for information pertaining to EPSDT Fluoride Varnish Application.

## EarlySteps Program

The EarlySteps Program provides services to families with infants and toddlers aged birth to three years who have a medical condition likely to result in a developmental delay, or who have developmental delays.

The MCO shall ensure that any infant or toddler who meets or may meet the medical or biological eligibility criteria for EarlySteps (infant and toddler early intervention services) is referred to the local EarlySteps Program.

Additional information about the EarlySteps Program may be found on the LDH webpage [\[link\]](#).

## Eye Care and Vision Services

The MCO shall not require a referral for in-network providers.

The MCO's requirements for provision and authorization of services within the scope of licensure for optometrists cannot be more stringent than those requirements for participating ophthalmologists.

## Family Planning Services

The MCO shall cover family planning services, including, but not limited to:

- ❖ Comprehensive medical history and physical exam at least once per year. This visit includes anticipatory guidance and education related to enrollees' reproductive health/needs;
- ❖ Contraceptive counseling to assist enrollees in reaching an informed decision (including natural family planning, education follow-up visits, and referrals);
- ❖ Laboratory tests routinely performed as part of an initial or regular follow-up visit/exam for family planning purposes and management of sexual health;
- ❖ Drugs for the treatment of lower genital tract and genital skin infections/disorders, and urinary tract infections, when the infection/disorder is identified/diagnosed during a routine/periodic family planning visit. A follow-up visit/encounter for the treatment/drugs may also be covered;
- ❖ Pharmaceutical supplies and devices to prevent conception, including all methods of contraception approved by the Federal Food and Drug Administration;
- ❖ Male and female sterilization procedures provided in accordance with 42 C.F.R. Part 441, Subpart F;
- ❖ Treatment of major complications from certain family planning procedures such as: treatment of perforated uterus due to intrauterine device insertion; treatment of severe menstrual bleeding caused by a medroxyprogesterone acetate injection requiring dilation and curettage; and treatment of surgical or anesthesia-related complications during a sterilization procedure; and
- ❖ Transportation services to and from family planning appointments provided all other criteria for Non-Emergency Medical Transportation (NEMT) are met.

Family planning services shall also include diagnostic evaluation, supplies, devices, and related counseling for the purpose of voluntarily preventing or delaying pregnancy, detection, or treatment of sexually transmitted infections (STIs), and age-appropriate vaccination for the prevention of HPV and cervical cancer. Prior authorization shall not be required for treatment of STIs.

The MCO shall address high STI prevalence by incentivizing providers to conduct screening, prevention education and early detection, including targeted outreach to at risk populations.

The MCO shall ensure that its enrollees have the freedom to receive family planning services and related supplies from appropriate Medicaid providers outside the MCO's provider network without any restrictions, as specified in 42 C.F.R. §431.51(b)(2). The out-of-network Medicaid-enrolled family planning services provider shall bill the MCO and be reimbursed no less than the FFS rate in effect on the date of service.

The MCO shall encourage its enrollees to receive family planning services through the MCO's network of providers to ensure continuity and coordination of an enrollee's total care. No additional reimbursements shall be made to the MCO for its enrollees who elect to receive family planning services outside the MCO's provider network.

The MCO shall encourage family planning providers to communicate with the enrollee's PCP once any form of medical treatment is undertaken.

The MCO shall maintain accessibility for family planning services through promptness in scheduling appointments (appointments available within one week).

The MCO shall not provide assisted reproductive technology for treatment of infertility.

## Genetic Testing

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Genetic testing for a particular disease should generally be performed once per lifetime; however, there are rare instances in which testing may be performed more than once in a lifetime (e.g., previous testing methodology is inaccurate or a new discovery has added significant relevant mutations for a disease).

## Breast and Ovarian Cancer

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The MCO shall cover and consider genetic testing for *BRCA1* and *BRCA2* mutations in cancer-affected individuals and cancer-unaffected individuals to be medically necessary if the enrollee meets the criteria listed below.

## Eligibility Criteria

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Individuals meeting one or more of the below criteria are considered eligible.

- ❖ Individuals with any blood relative with a known *BRCA1/BRCA2* mutation;
- ❖ Individuals meeting the criteria below but with previous limited testing (e.g., single gene and/or absent deletion duplication analysis) interested in pursuing multi-gene testing;
- ❖ Individuals with a personal history of cancer, defined as one or more of the following:
  - Breast cancer and one or more of the following:
    - Diagnosed age ≤ 45 years; or
    - Diagnosed at age 45—50 years with:
      - Unknown or limited family history; or
      - A second breast cancer diagnosed at any age; or
      - ≥ 1 close blood relative\* with breast, ovarian, pancreatic, or high-grade (Gleason score ≥ 7) or intraductal prostate cancer at any age
    - Diagnosed at age ≤ 60 years with triple negative (ER–, PR–, HER2–) breast cancer;
    - Diagnosed at any age with:
      - Ashkenazi Jewish ancestry; or

- ≥1 close blood relative\* with breast cancer at age ≤ 50 years or ovarian, pancreatic, or metastatic or intraductal prostate cancer at any age; or
- ≥3 total diagnoses of breast cancer in patient and/or close blood relatives\*
  - Diagnosed at any age with male breast cancer; or
  - Epithelial ovarian cancer (including fallopian tube cancer or peritoneal cancer) at any age;
- Exocrine pancreatic cancer at any age;
- Metastatic or intraductal prostate cancer at any age;
- High-grade (Gleason score ≥ 7) prostate cancer at any age with:
  - Ashkenazi Jewish ancestry; or
  - ≥1 close blood relative\* with breast cancer at age ≤ 50 years or ovarian, pancreatic, or metastatic or intraductal prostate cancer at any age; or
  - ≥2 close blood relatives\* with breast or prostate cancer (any grade) at any age
- A mutation identified on tumor genomic testing that has clinical implications if also identified in the germline
- To aid in systemic therapy decision-making, such as for HER2-negative metastatic breast cancer
- ❖ Individuals with a family history of cancer, including unaffected individuals, defined as one or more of the following:
  - An affected or unaffected individual with a 1<sup>st</sup>- or 2<sup>nd</sup>-degree blood relative meeting any of the criterion listed above (except individuals who meet criteria only for systemic therapy decision-making); or
  - An affected or unaffected individual who otherwise does not meet criteria above but also has a probability > 5% of a *BRCA1/2* pathogenic variant based on prior probability models (e.g., Tyrer-Cuzick, BRCAPro, PennII)

\*For the purpose of familial assessment, close blood relatives include first-, second-, and third-degree relatives on the same side of the family (maternal or paternal):

- ❖ 1st-degree relatives are parents, siblings, and children;
- ❖ 2nd-degree relatives are grandparents, aunts, uncles, nieces, nephews, grandchildren, and half siblings; or
- ❖ 3rd-degree relatives are great-grandparents, great-aunts, great-uncles, great grandchildren and first cousins.

## Familial Adenomatous Polyposis

FAP is caused by a hereditary genetic mutation in the APC tumor suppressor gene which leads to development of adenomatous colon polyps.

The MCO shall cover and consider genetic testing for adenomatous polyposis coli (APC) gene mutations to diagnose familial adenomatous polyposis (FAP) to be medically necessary if the enrollee meets the following criteria.

### Eligibility Criteria

- ❖ Personal history of ≥ 20 cumulative adenoma; or
- ❖ Known deleterious APC mutation in first-degree family member.

## Lynch Syndrome

The MCO shall cover and consider genetic testing for Lynch syndrome to be medically necessary when an enrollee meets the following criteria:

- ❖ Amsterdam II criteria; or
- ❖ Revised Bethesda Guidelines; or
- ❖ Estimated risk  $\geq 5\%$  based on predictive models (MMRpro, PREMM5, or MMRpredict).

### Amsterdam II Criteria

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There must be at least three relatives with a Lynch Syndrome associated cancer (cancer of the colorectal, endometrium, small bowel, ureter or renal pelvis) and all of the following criteria should be present:

- ❖ One must be a first-degree relative to the other two;
- ❖ Two or more successive generations must be affected;
- ❖ One or more must be diagnosed before 50 years of age;
- ❖ Familial adenomatous polyposis should be excluded in the colorectal cancer; and
- ❖ Tumors must be verified by pathological examination.

### Revised Bethesda Guidelines

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One or more criterion must be met:

- ❖ Colorectal or uterine cancer diagnosed in a patient who is less than 50 years of age;
- ❖ Presence of synchronous (coexist at the same time), metachronous (previous or recurring) colorectal cancer, or other Lynch Syndrome associated tumors\*\*;
- ❖ Colorectal cancer with the MSI-H\*\*\* histology\*\*\*\* diagnosed in a patient who is less than 60 years of age;
- ❖ Colorectal cancer diagnosed in one or more first-degree relatives with a Lynch syndrome related tumor, with one of the cancers being diagnosed under 50 years of age; and/or
- ❖ Colorectal cancer diagnosed in two or more first- or second-degree relatives with Lynch syndrome related tumors, regardless of age.

\*\*Hereditary nonpolyposis colorectal cancer (HNPCC)-related tumors include colorectal, endometrial, stomach, ovarian, pancreas, ureter and renal pelvis, biliary tract, and brain (usually glioblastoma as seen in Turcot syndrome) tumors, sebaceous gland adenomas and keratoacanthomas in Muir-Torre syndrome, and carcinoma of the small bowel.

\*\*\*MSI-H - microsatellite instability-high in tumors refers to changes in two or more of the five National Cancer Institute-recommended panels of microsatellite markers

\*\*\*\*Presence of tumor infiltrating lymphocytes, Crohn's-like lymphocytic reaction, mucinous/signet-ring differentiation, or medullary growth pattern.

## Gynecology

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Gynecologic services include:

- ❖ Hysterectomies;
- ❖ Long-acting reversible contraceptives;
- ❖ Mammograms;
- ❖ Pap smears;
- ❖ Pelvic examinations; and
- ❖ Saline infusion sonohysterography or hysterosalpingography.

## Hysterectomies

Federal regulations governing Medicaid reimbursement of hysterectomies prohibit reimbursement under the following circumstances:

- ❖ The hysterectomy is performed solely for the purpose of terminating reproductive capability; or
- ❖ There is more than one purpose for performing the hysterectomy, but the procedure would not be performed except for the purpose of rendering the individual permanently incapable of reproducing.

The MCO shall only cover a hysterectomy when:

- ❖ The person securing authorization to perform the hysterectomy has informed the individual and her representative (if any), both orally and in writing, that the hysterectomy will make the individual permanently incapable of reproducing; and
- ❖ The individual or their representative (if any) has signed a written acknowledgement of receipt of that information.

These regulations apply to all hysterectomy procedures, regardless of the enrollee's age, fertility, or reason for surgery.

## Consent for Hysterectomy

The MCO's policy for obtaining consent for hysterectomies shall include the following:

- ❖ The Acknowledgement of Receipt of Hysterectomy Information (hysterectomy consent form)<sup>9</sup> must be signed and dated by the enrollee on or before the date of the hysterectomy. The consent must include signed acknowledgement from the enrollee stating the enrollee has been informed orally and in writing that the hysterectomy will make the enrollee permanently incapable of reproducing. Enrollees who undergo a covered hysterectomy must complete a hysterectomy consent form but are not required to complete a sterilization consent form.
- ❖ The physician who obtains the consent must share the consent form with all providers involved in that enrollee's care (e.g., attending physician, hospital, anesthesiologist, and assistant surgeon).
- ❖ When billing for services that require a hysterectomy consent form, the name on the Medicaid file for the date of service in which the form was signed should be the same as the name signed at the time consent was obtained. If the enrollee's name is different, the provider must attach a letter from the physician's

<sup>9</sup> The current hysterectomy consent form (BHSF Form 96-A), with instructions, is available at [www.lamedicaid.com](http://www.lamedicaid.com) under the directory link "Forms/Files/Surveys/User Manuals" [link]. The BHSF Form 96-A revised 02/2020 is effective with dates of service on and after May 1, 2020 and replaces the BHSF Form 96-A revised 05/06. MCOs shall grant providers a grace period from May 1, 2020 until May 31, 2020, during which either form will be accepted. Effective with dates of service on and after June 1, 2020, only BHSF Form 96-A revised 02/2020 may be accepted.

office from which the consent was obtained. The letter must be signed by the physician and must state that the enrollee's name has changed and must include the enrollee's social security number and date of birth. This letter must be attached to all claims requiring consent upon submission for claims processing.

- ❖ A witness signature is needed on the hysterectomy consent when the enrollee meets one of the following criteria:
  - Enrollee is unable to sign their name and must indicate "x" on the signature line; or
  - There is a diagnosis on the claim that indicates mental incapacity.
- ❖ If a witness signs the consent form, the signature date must match the date of the enrollee's signature. If the dates do not match, or the witness does not sign and date the form, claims related to the hysterectomy will deny.

## Exceptions

Obtaining consent for a hysterectomy is unnecessary in the following circumstances:

- ❖ The individual was already sterile before the hysterectomy, and the physician who performed the hysterectomy certifies that the individual was already sterile at the time of the hysterectomy and states the cause of sterility.
- ❖ The individual required a hysterectomy because of a life-threatening emergency situation in which the physician determined that prior acknowledgment was not possible, and the physician certifies in his own writing that the hysterectomy was performed under these conditions and includes in his narrative a description of the nature of the emergency.
- ❖ The individual was retroactively certified for Medicaid benefits, and the physician who performed the hysterectomy certifies in his own writing that the individual was informed before the operation that the hysterectomy would make the enrollee permanently incapable of reproducing. In addition, if the individual was certified retroactively for benefits, and the hysterectomy was performed under one of the two other conditions listed above, the physician must certify in writing that the hysterectomy was performed under one of those conditions and that the enrollee was informed, in advance, of the reproductive consequences of having a hysterectomy.

## Reimbursement

Prior to reimbursement, the MCO shall ensure that the hysterectomy consent form or a physician's written certification (see *Exceptions* section) is obtained. The MCO shall allow ancillary providers and hospitals to submit claims without the hard copy consent. The MCO shall reimburse these providers only if the provider performing the hysterectomy submitted a valid hysterectomy consent and was reimbursed for the procedure.

The MCO is responsible for maintaining required documentation and shall not shred documentation without prior approval by LDH.

## Long-Acting Reversible Contraceptives

The MCO shall cover the insertion and removal of all FDA approved long-acting reversible contraceptives.

## Screening Mammography

The MCO shall cover one screening mammogram per calendar year for females at least 40 years of age.

## Papanicolaou Testing for Cervical Cancer

Based on American College of Obstetricians and Gynecologists (ACOG) guidelines regarding Papanicolaou testing (Pap tests), the MCO shall not routinely cover testing for enrollees under 21 years of age.

### Eligibility Criteria (for those under age 21)

The MCO shall consider cervical cancer screening (including repeat screening) medically necessary for enrollees under 21 years of age if they meet the following criteria:

- ❖ Were exposed to diethylstilbestrol before birth;
- ❖ Have human immunodeficiency virus;
- ❖ Have a weakened immune system;
- ❖ Have a history of cervical cancer or abnormal cervical cancer screening test; or
- ❖ Meet other criteria subsequently published by ACOG.

## Reimbursement

The MCO shall include the collection of cytopathologic vaginal test (Pap test) specimens in the reimbursement of the evaluation and management services.

For those enrollees under the age of 21, the MCO shall require the treating provider to submit the required documentation needed for billing to the laboratory provider.

## Pelvic Examinations

The MCO shall cover routine pelvic examinations in the reimbursement for the evaluation and management service. Therefore, the MCO shall not allow routine pelvic examinations to be billed as separate procedures.

Pelvic examinations under anesthesia may be medically necessary for certain populations. The MCO shall require the provider to indicate the medical justification for the pelvic examination under anesthesia in the enrollee's medical record.

## Saline Infusion Sonohysterography or Hysterosalpingography

The MCO shall cover saline infusion sonohysterography or hysterosalpingography, limited to the assessment of fallopian tube occlusion or ligation following a sterilization procedure.

## Home Health Services

A home health agency (HHA) provides patient care services in the enrollee's residential setting, under the order of a physician, that are necessary for the diagnosis and treatment of the enrollee's illness or injury. Such services include part-time skilled nursing services, extended skilled nursing services (for enrollees under 21 years of age),

home health aide services, physical therapy (PT), speech therapy (ST), occupational therapy (OT), and medical supplies recommended by the physician as required in the care of the enrollee and suitable for use in any setting in which normal life activities take place.

The MCO shall cover the following home health services:

- ❖ Skilled nursing (intermittent or part-time);
- ❖ Home health aide services, in accordance with the plan of care (POC) as recommended by the attending physician;
- ❖ Extended skilled nursing services (also referred to as extended home health), as part of Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) services, is extended nursing care by a registered nurse or a licensed practical nurse (LPN) and may be provided to enrollees under age 21 who are considered “medically fragile”;
- ❖ Rehabilitation services are physical, occupational and speech therapies, including audiology services; and
- ❖ Medical supplies, equipment, and appliances, as recommended by the physician, required in the POC for the enrollee and suitable for use in any setting in which normal life activities take place are covered under the Durable Medical Equipment (DME) program and must be prior authorized.

The MCO shall ensure that a face-to-face encounter between the patient and the physician or an allowed non-physician provider (NPP) occur no more than 90 days prior to, or 30 days after, admission to the home health agency.

## Hyperbaric Oxygen Therapy

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The MCO shall cover hyperbaric oxygen therapy treatments administered in a hyperbaric oxygen therapy chamber for the following conditions, if deemed medically necessary:

- ❖ Acute carbon monoxide intoxication;
- ❖ Decompression illness;
- ❖ Gas embolism;
- ❖ Gas gangrene;
- ❖ Acute traumatic peripheral ischemia. Hyperbaric oxygen therapy is a valuable adjunctive treatment to be used in combination with accepted standard therapeutic measures when loss of function, limb, or life is threatened;
- ❖ Crush injuries and suturing of severed limbs. Hyperbaric oxygen therapy would be an adjunctive treatment when loss of function, limb, or life is threatened;
- ❖ Progressive necrotizing infections (necrotizing fasciitis);
- ❖ Acute peripheral arterial insufficiency;
- ❖ Preparation and preservation of compromised skin grafts (not for primary management of wounds);
- ❖ Chronic refractory osteomyelitis, unresponsive to conventional medical and surgical management;
- ❖ Osteoradionecrosis as an adjunct to conventional treatment;
- ❖ Soft tissue radionecrosis as an adjunct to conventional treatment;
- ❖ Cyanide poisoning;
- ❖ Actinomycosis, only as an adjunct to conventional therapy when the disease process is refractory to antibiotics and surgical treatment; and
- ❖ Diabetic wounds of the lower extremities when:

- The wound is classified as Wagner grade 3 or higher; and
- An adequate course of standard wound therapy was not sufficient to lead to healing.

## Immunizations

For enrollees age 18 and younger, the MCO shall only cover vaccine administration for immunizations recommended by the Advisory Committee on Immunization practices (ACIP). Vaccines for enrollees age 18 and younger are provided free of charge through the Louisiana Immunization Program/Vaccines for Children program, as described below.

For enrollees age 19 and older, the MCO shall cover all ACIP-recommended vaccines, and vaccine administration, according to ACIP recommendations and without restrictions or prior authorization.

NOTE: Refer to the *EPSDT Preventive Services Program* section of this Manual for additional information.

## Combination Vaccines

The MCO shall encourage combination vaccines in order to maximize the opportunity to immunize and to reduce the number of injections a child receives in one day. The MCO shall not reimburse providers for a single-antigen vaccine and its administration if a combined-antigen vaccine is medically appropriate and the combined vaccine is approved by the Secretary of the U.S. Department of Health and Human Services.

## Louisiana Immunization Program/Vaccines for Children Program

The MCO must ensure that all Medicaid-enrolled providers that provide Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) well child preventive screenings are enrolled in the Vaccines for Children (VFC) program and utilize VFC vaccines for enrollees aged birth through 18 years of age.

Providers can obtain a VFC enrollment packet by calling the Office of Public Health's (OPH) Immunization Section [\[link\]](#) at (504) 568-2600.

## Reimbursement

The MCO shall require providers to indicate the CPT code for the specific vaccine in addition to the appropriate administration CPT code(s) to receive reimbursement for the administration of appropriate immunizations. The listing of the vaccine on the claim form is required for federal reporting purposes.

Vaccines from the Vaccines for Children Program are available at no cost to the provider and are required to be used for Medicaid enrollees through 18 years of age. Therefore, the MCO shall reimburse CPT codes for vaccines available from the VFC Program at zero (\$0) for every enrollee from birth through 18 years of age.

## Declared Pediatric Flu Vaccine Shortage Plan

The MCO's policy shall include the following provisions regarding flu vaccine shortages:

- ❖ If a Medicaid provider does not have the VFC pediatric influenza vaccine on hand to vaccinate a **high priority** Medicaid-enrolled child, the provider should not turn away, refer or reschedule the enrollee for

a later date if the vaccine is available from private stock. The provider should use pediatric influenza vaccine from private stock and replace the dose(s) used from private stock with dose(s) from VFC stock when the VFC vaccine becomes available.

- ❖ If a Medicaid provider does not have the VFC pediatric influenza vaccine on hand to vaccinate a **non-high priority or non-high risk** Medicaid-enrolled child, the enrollee can:
  - Wait for the VFC influenza vaccine to be obtained, or
  - If the enrollee chooses not to wait for the VFC influenza vaccine to be obtained, and the provider has private stock of the vaccine on hand, the MCO shall reimburse only the administration of the private stock vaccine.
    - If the provider intends to charge the enrollee for the vaccine, then prior to the injection, the provider shall inform the enrollee/guardian that the actual vaccine does not come from the VFC program and the enrollee will be responsible for the cost of the vaccine. In these situations, the provider shall obtain signed documentation that the enrollee is responsible for reimbursement of the vaccine only.

## Louisiana Immunization Network (LINKS)

Louisiana Immunization Network (LINKS) is a computer-based system designed to track immunization records for providers and their patients by:

- ❖ Consolidating immunization information among all healthcare providers,
- ❖ Assuring adequate immunization coverage levels, and
- ❖ Avoiding duplicative immunizations.

The MCO should access LINKS directly to obtain immunization reports. LINKS can be accessed through the OPH website [\[link\]](#).

The MCO shall ensure that providers report the required immunization data into LINKS.

## “Incident to” Services

“Incident to” services means services or supplies that are furnished as an integral, although incidental, part of a supervising provider’s professional services. For physicians, “incident to” services include those provided by auxiliary personnel (e.g., medical assistants, licensed practical nurses, registered nurses, etc.), but exclude those provided by an advanced practice registered nurse (APRN) and physician assistant (PA). For APRNs and PAs, “incident to” services also include those provided by auxiliary personnel. For all “incident to” services, auxiliary personnel must only operate within the scope of practice of their license or certification.

Provider supervision must consist of either personal participation in the service or direct supervision coupled with review and approval of the service notes. Direct supervision is defined as the provider being present in the facility, though not necessarily present in the room where the service is being rendered, and immediately available to provide assistance and direction throughout the time the service is performed. For Office of Public Health clinics, providers must furnish general supervision, defined as under the supervising provider’s overall direction and control, but the provider’s presence is not required in the facility during the performance of the service.

When an APRN or PA provides all parts of the service independent of a supervising or collaborating physician’s involvement, even if a physician signs off on the service or is present in the facility, the service does not meet the

requirements of “incident to” services. Instead, claims for such services must be submitted using the APRN or PA as the rendering provider.

It is inappropriate for a physician to submit claims for services provided by an APRN or PA with the physician listed as the rendering provider when the physician is only supervising, reviewing, or “signing off” on the APRN’s or PA’s records. Services billed in this manner are subject to post-payment review, recoupment, and additional sanctions as deemed appropriate by Louisiana Medicaid.

## Institutional Long-Term Care Facilities/Nursing Homes

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The MCO is responsible for all covered services, including periods in which the enrollee is admitted to a long-term care facility/nursing home for rehabilitative purposes, with the exception of non-emergency, non-ambulance transportation services (see *Medical Transportation* section), and prior to the time the member is disenrolled from the MCO.

## Intrathecal Baclofen Therapy

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The MCO shall cover surgical implantation of a programmable infusion pump for the delivery of intrathecal baclofen (ITB) therapy for individuals four years of age and older who meet medical necessity for the treatment of severe spasticity of the spinal cord or of cerebral origin.

The following diagnoses are considered appropriate for ITB treatment and infusion pump implantation:

- ❖ Meningitis;
- ❖ Encephalitis;
- ❖ Dystonia;
- ❖ Multiple sclerosis;
- ❖ Spastic hemiplegia;
- ❖ Infantile cerebral palsy;
- ❖ Other specified paralytic syndromes;
- ❖ Acute, but ill-defined, cerebrovascular disease;
- ❖ Closed fracture of the base of skull;
- ❖ Open fracture of base of skull;
- ❖ Closed skull fracture;
- ❖ Fracture of vertebral column with spinal cord injury;
- ❖ Intracranial injury of other and unspecified nature; or
- ❖ Spinal cord injury without evidence of spinal bone injury.

## Criteria for Enrollee Selection

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Implantation of an ITB infusion pump is considered medically necessary, when the candidate is four years of age or older with a body mass sufficient to support the implanted system, and one or more of the following criteria is met:

- ❖ Inclusive Criteria for Candidates with Spasticity of Cerebral Origin
  - There is severe spasticity of cerebral origin with no more than mild athetosis;

- The injury is older than one year;
- There has been a drop in Ashworth scale of 1 or more;
- Spasticity of cerebral origin is resistant to conservative management; or
- The candidate has a positive response to test dose of ITB.
- ❖ Inclusive Criteria for Candidates with Spasticity of Spinal Cord Origin
  - Spasticity of spinal cord origin that is resistant to oral antispasmodics or side effects unacceptable in effective doses;
  - There has been a drop in Ashworth scale of 2 or more; or
  - The candidate has a positive response to test dose of intrathecal baclofen.

Caution should be exercised when considering ITB infusion pump implantation for candidates who:

- ❖ Have a history of autonomic dysreflexia;
- ❖ Suffer from psychotic disorders;
- ❖ Have other implanted devices; or
- ❖ Utilize spasticity to increase function such as posture, balance, and locomotion.

## Exclusion Criteria for Candidates

Consideration shall not be made if the candidate:

- ❖ Fails to meet any of the inclusion criteria;
- ❖ Is pregnant, or refuses or fails to use adequate methods of birth control;
- ❖ Has a severely impaired renal or hepatic function;
- ❖ Has a traumatic brain injury of less than one year pre-existent to the date of the screening dose;
- ❖ Has history of hypersensitivity to oral baclofen;
- ❖ Has a systematic or localized infection which could infect the implanted pump; or
- ❖ Does not respond positively to a 50, 75, or 100 mcg intrathecal bolus of baclofen during the screening trial procedure.

The MCO shall cover outpatient bolus injections given to candidates for the ITB infusion treatment if medically necessary even if the enrollee fails the screening trial procedure.

## LSU Enhanced Professional Service Fees

LSU professional service providers receive an enhanced fee for certain codes. The only codes that are to be paid at these enhanced rates are those specific code and specific type of service combinations that are listed on the LSU Enhanced Professional Services Fee Schedules.

If the code and the type of service code are not listed on the enhanced fee schedules, then the minimum rate reimbursed to these LSU providers would be based on the Louisiana Medicaid Professional Services Fee Schedule.

There are two different LSU reimbursement groups:

- ❖ Group 1: LSU Essential Provider – Shreveport. This group includes providers:
  - # 2430769, NPI 1013374222, TAX ID 364774713
- ❖ Group 2: LSU Essential Provider – New Orleans. This group includes providers:
  - # 1038296, NPI 1992975775, TAX ID 261531455

- # 1940046, NPI 1558303420, TAX ID 726000749
- # 1167347, NPI 1477582526, TAX ID 721304948
- # 1169269, NPI 1477582526, TAX ID 721304948
- # 1177130, NPI 1932492626, TAX ID 452297609
- # 1945846, NPI 1477582526, TAX ID 721304948
- # 2436473, NPI 1275984973, TAX ID 812574422
- # 2518755, NPI 1285285510, TAX ID 841945250

Each reimbursement group has its own special reimbursement assigned which is outlined on the LSU Enhanced Professional Services Fee Schedules.

## Modifiers

The modifiers in the table in this section indicate modifiers that impact reimbursement or policy to establish minimum reimbursement amounts. The below is an exclusive list of modifiers allowed for the purposes of establishing minimum reimbursement rates. The MCO may not mandate the use of modifiers that result in a reimbursement rate that is below the rate established by the fee schedules and these allowed modifiers.

<i>Modifier</i>	<i>Use/Example</i>	<i>Special Billing Instructions</i>	<i>Minimum Reimbursement</i>
22 <i>Unusual Service</i>	Service provided is greater than that which is usually required (e.g., delivery of twins); not to be used with visits or lab codes		125% of the fee on file or billed charges whichever is lower
24 <i>Unrelated evaluation and management service by the same physician during the post-op period</i>			Lower of billed charges or fee on file
25 <i>Significant, separately identifiable evaluation and management service by the same physician on the same day of a procedure or other service</i>		When a suspected condition identified during a screening visit and diagnosed/treated by the screening provider during the same visit, only lower level E&M appended with modifier 25 allowable; otherwise claim will deny  Improper use of modifiers to maximize reimbursement and to bypass valid claims editing will subject the provider to administrative sanctions and/or possible exclusion from the Louisiana Medicaid program.	Lower of billed charges or fee on file
26 <i>Professional Component</i>	Professional portion only of a procedure that typically consists of both a professional and a technical		Lower of billed charges or 40% of the fee on file

	component (e.g., interpretation of laboratory or x-ray procedures performed by another provider)		
TC <i>Technical Component</i>		MCOs may not reimburse the technical component only on laboratory and radiology claims. Reimbursement is not allowed for both the professional component and full service on the same procedure.	
50 <i>Bilateral Procedure</i>			Lower of billed charges or 150% of the fee on file
51 <i>Multiple Procedures</i>			Lower of billed charges or 100% of the fee on file for primary/ 50% of the fee on file for all others
52 <i>Reduced Services</i>			Lower of billed charges or 75% of the fee on file
53 <i>Discontinued Procedure</i>	Only for use by Free Standing Birthing Centers (FSBC's) when the enrollee is transferred prior to delivery		50% of the FSBC's facility fee or billed charges, whichever is lower
54 <i>Surgical Care Only</i>	Surgical procedure performed by physician when another physician provides pre- and/or postoperative management		Lower of billed charges or 70% of the fee on file
55 <i>Postoperative Management Only</i>	Postoperative management only when another physician has performed the surgical procedure		Lower of billed charges or 20% of the fee on file
56 <i>Preoperative Management Only</i>	Preoperative management only when another physician has performed the surgical procedure		Lower of billed charges or 10% of the fee on file
NOTE: If full service payment is made for a procedure (i.e., the procedure is billed and paid with no modifier), additional payment will not be made for the same procedure for surgical care only, post-operative care only, or preoperative care only. In order for all providers to be paid in the case when modifiers -54, -55, and -56 would be used, each provider must use the appropriate modifier to indicate the service performed. Claims that are incorrectly billed and paid must be adjusted using the correct modifier in order to allow payment of other claims billed with the correct modifier.			
57 <i>Evaluation and management service resulting in the initial decision to perform the surgery</i>			Lower of billed charges or fee on file
59 <i>Distinct procedural services performed; separate from other</i>		Improper use of modifiers to maximize reimbursement and to bypass valid claims editing will subject the provider to	Lower of billed charges or fee on file

<i>services rendered on the same day by the same provider</i>		administrative sanctions and/or possible exclusion from the Louisiana Medicaid program.	
62 <i>Two Surgeons</i>			Lower of billed charges or 80% of the fee on file for each surgeon.
63 <i>Infants less than 4 kg</i>			Lower of billed charges or 125% of the fee on file
66 <i>Surgical Team</i>	Performance of highly complex procedure requiring the concomitant services of several physicians (e.g., organ transplant)	Documentation must clearly indicate the name of each surgeon and the procedures performed by each.	Lower of billed charges or 80% of the fee on file for each surgeon.
NOTE: In order for correct payment to be made in the case of two surgeons or a surgical team, all providers involved must bill correctly using appropriate modifiers. If full service payment is made for a procedure (i.e., the procedure is billed and paid with no modifier), additional payment will not be made for the same procedure for two surgeons or surgical team. Payment will not be made for any procedure billed for both full service (no modifier) and for two surgeons or surgical team. If even one of the surgeons involved bills with no modifier and is paid, no additional payment will be made to any other surgeon for the same procedure. Claims which are incorrectly billed with no modifier and are paid must be adjusted using the correct modifier in order to allow payment of other claims billed with the correct modifier.			
79 <i>Unrelated procedure or service by the same physician during the postoperative period</i>			Lower of billed charges or fee on file
80 <i>Assistant Surgeon (MD)</i>			Lower of billed charges or: MD's - 20% of the full service physician fee on file.
AS <i>Assistant at Surgery (Physician Assistant or APRN)</i>			Lower of billed charges or 80% of MD's 'Assistant Surgeon' fee
NOTE: *The list of codes acceptable with the 80/AS modifier is posted on the Louisiana Medicaid website.			
AT <i>Acute Treatment</i>	Chiropractors use this modifier		Lower of billed charges or fee on file
95 <i>Telemedicine</i>	Services provided via a telecommunications system, see the Telemedicine/Telehealth section	Modifier shall be appended to claims for all services provided via telemedicine/telehealth	Lower of billed charges or 100% of the fee on file
Q5 <i>Reciprocal Billing Arrangement</i>	Services provided by a substitute physician on an occasional reciprocal basis not over a continuous period of longer than 60 days. Does not apply to substitution within the same group.	The regular physician submits the claim and receives reimbursement for the substitute. The record must identify each service provided by the substitute.	Lower of billed charges or 100% of the fee on file
Q6 <i>Locum Tenens</i>	Services provided by a substitute physician retained to take over a regular physician's practice	The regular physician submits claims and receives reimbursement for the substitute. The record must	Lower of billed charges or 100% of the fee on file

	for reasons such as illness, pregnancy, vacation, or continuing education. The substitute is an independent contractor typically paid on a per diem or fee-for-time basis and does not provide services over a period of longer than 60 days.	identify each service provided by the substitute	
TH Prenatal Services			Lower of billed charges or fee for prenatal services
QW Laboratory	Required when billing certain laboratory codes		Lower of billed charges or fee on file

## Site Specific Modifiers

Unless specifically indicated otherwise in CPT, providers should use site-specific modifiers to accurately document the anatomic site where procedures are performed when appropriate for the clinical situation.

E1	Upper left, eyelid Lower left, eyelid	LT*	Left side
E2	Upper right, eyelid	RT*	Right side
E3	Lower right, eyelid	LC	Left circumflex, coronary artery
E4	Left hand, thumb	RC	Right coronary artery
FA	Left hand, second digit	LD	Left anterior descending coronary artery
F1	Left hand, third digit	TA	Left foot, great toe
F2	Left hand, fourth digit	T1	Left foot, second digit
F3	Left hand, fifth digit	T2	Left foot, third digit
F4	Right hand, thumb	T3	Left foot, fourth digit
F5	Right hand, second digit	T4	Left foot, fifth digit
F6	Right hand, third digit	T5	Right foot, great toe
F7	Right hand, fourth digit	T6	Right foot, second digit
F8	Right hand, fifth digit	T7	Right foot, third digit
F9	Upper left, eyelid Lower left, eyelid	T8	Right foot, fourth digit
		T9	Right foot, fifth digit

\* When “bilateral” is part of the procedure code description, **RT/LT or -50 shall not be used.**

## Multiple Surgical Reduction Reimbursement

Multiple surgery reduction is the general industry term applied to the practice of reimbursing decreasing pay percentages for multiple surgeries performed during the same surgical session. When more than one surgical procedure is submitted for a patient on the same date of service, the 51 modifier is to be appended to the secondary code(s). Certain procedure codes are exempt from this process due to their status as “add-on” or “modifier 51 exempt” codes as defined in CPT.

## Secondary Bilateral Surgical Procedures

Multiple modifiers may be appended to secondary surgical procedure codes when appropriate. Billing multiple surgical procedures and bilateral procedures during the same surgical session should follow Medicaid policy for each type of modifier.

Bilateral secondary procedures are submitted with modifiers 50/51 and at a minimum be reimbursed at 75% of the Medicaid allowable fee or the submitted charges, whichever is lowest.

## Newborn Care and Discharge

The appropriate CPT codes for the initial care of the normal newborn may be paid when the service provided meets the criteria as defined by CPT. This service is limited to once per lifetime of the enrollee.

The CPT code for subsequent care of the normal newborn may be paid for each day care is rendered subsequent to the date of birth, other than the discharge date. The MCO shall cover up to three normal newborn subsequent care days.

NOTE: Refer to the *Hospital Services* section for hospital billing of newborn care.

## Circumcisions

The MCO shall cover all medically necessary circumcisions.

Routine circumcision is an approved MCO value-added benefit.

## Discharge Services

The MCO's policy for discharge services shall include the following:

- ❖ When the date of discharge is subsequent to the admission date, the provider shall submit claims for newborn hospital discharge services using the appropriate CPT code for hospital day management code.
- ❖ When newborns are admitted and discharged on the same date, the provider shall use the appropriate code for these services.

## Newborn Screenings for Genetic Disorders

Newborn screening includes testing for certain specified conditions recommended by the American College of Medical Genetics. The MCO's policy shall include that La. R.S. 40:1081.1 and 40:1081.2 require hospitals with delivery units to screen all newborns before discharge regardless of the newborn's length of stay at the hospital. The Louisiana Administrative Code Title 48, Part V, Subpart 18, Chapter 63 provides the requirements related to newborn screenings.

NOTE: Refer to the *EPSDT Preventive Services Program* section for additional information on obtaining the results of newborn screenings for genetic disorders.

## Neonatal/Pediatric Critical Care Billing

The MCO shall configure its claims processing systems, with regard to the billing of initial/subsequent neonatal and pediatric critical care and initial and continuing intensive care services, as follows:

- ❖ The claims billed with these codes will be configured to pay based on provider specialty.
- ❖ The provider specialties listed below will be configured to pay with these codes:
  - Neonatologist

- Pediatric Intensivist
- ❖ Any other provider specialty that bills this set of codes will deny or pend. The MCO shall require the provider to follow the appropriate MCO reconsideration process.

## Obstetrics

The MCO shall require that all prenatal outpatient visit evaluation and management (E&M) procedure codes be modified with TH. The TH modifier is not required for observation or inpatient hospital physician services.

### Initial Prenatal Visit(s)

The MCO shall cover two initial prenatal visits per pregnancy (270 days). These two visits may not be performed by the same attending provider.

The MCO shall consider the enrollee a 'new patient' for each pregnancy whether or not the enrollee is a new or established patient to the provider/practice. The MCO shall require that the appropriate level E&M CPT procedure code be billed for the initial prenatal visit with the TH modifier. A pregnancy-related diagnosis code must also be used on the claim form as either the primary or secondary diagnosis.

Reimbursement for the initial prenatal visit, which must be modified with TH, shall include, but is not limited to, the following:

- ❖ Estimation of gestational age by ultrasound or firm last menstrual period. (If the ultrasound is performed during the initial visit, it may be billed separately. Also, see the ultrasound policy below.);
- ❖ Identification of patient at risk for complications including those with prior preterm birth;
- ❖ Health and nutrition counseling; and
- ❖ Routine dipstick urinalysis.

If the pregnancy is not verified, or if the pregnancy test is negative, the service may only be submitted with the appropriate level E&M without the TH modifier.

The MCO may require notification by the provider of obstetrical care at the time of the first visit of the pregnancy.

### Follow-Up Prenatal Visits

The MCO shall require the provider to submit the appropriate level E&M CPT code from the range of procedure codes used for an established patient for the subsequent prenatal visit(s). The E&M CPT code for each of these visits must be modified with the TH modifier.

The reimbursement for this service shall include, but is not limited to:

- ❖ The obstetrical (OB) examination;
- ❖ Routine fetal monitoring (excluding fetal non-stress testing);
- ❖ Diagnosis and treatment of conditions both related and unrelated to the pregnancy; and
- ❖ Routine dipstick urinalysis.

## Delivery Codes

The MCO's policy for coding deliveries shall include the following:

- ❖ The most appropriate "delivery only" CPT code shall be submitted. Delivery codes inclusive of the antepartum care and/or postpartum visit are not covered except in cases related to third party liability.
- ❖ Modifier -22 for unusual circumstances is to be used with the most appropriate CPT code for a vaginal or cesarean section delivery when the method of delivery is the same for all births.
- ❖ If the multiple gestation results in a cesarean section delivery and a vaginal delivery, the provider must use the most appropriate "delivery only" CPT code for the cesarean section delivery and also bill the most appropriate vaginal "delivery only" procedure code with modifier -51 appended.
- ❖ When a long-acting reversible contraceptive (LARC) is inserted immediately postpartum and prior to discharge, reimbursement shall be made separately for the insertion procedure and the LARC.

## Global Maternity Care for Third Party Liability

Global maternity care includes pregnancy-related antepartum care, admission to labor and delivery, management of labor including fetal monitoring, delivery, and uncomplicated postpartum care. Other antepartum services are not considered part of global maternity services—they are reimbursed separately. An initial visit, confirming the pregnancy, is not a part of global maternity care services.

The MCO shall accept global maternity procedure codes for claims billed for secondary payment. Global maternity codes shall be recognized and considered for reimbursement only when billed to the MCO as secondary payer. The MCO shall deny claims billed to the MCO as primary payer. Refer to the Professional Services Fee Schedule for the global maternity procedure codes and rates.

The MCO shall calculate reimbursement based upon LDH TPL payment policy as defined in the Contract or this Manual.

LDH, or its contracted actuary, will consider maternity global codes in rate development. Global maternity codes shall only be payable when billed to the MCO as secondary payer; therefore, these codes will not be included in encounter kick payment logic.

The provider should bill prenatal, delivery, and/or postpartum services separately when the enrollee's coverage terminates prior to delivery.

Add-on codes for maternity-related anesthesia will not apply. The MCO should bypass add-on rates when modifiers 47 and 52 are reported.

Interest applies when a payable clean claim remains unpaid beyond the 30 day claims processing deadline. Refer to the Contract for detailed information.

Maternity claims where the enrollee's primary carrier does not cover maternity services should be billed to the MCO as primary payer. The MCO should accept global maternity procedure codes for claims billed only as secondary payer.

## Postpartum Care Visit

The postpartum care CPT code (which is not modified with –TH) shall be reimbursed for the postpartum care visit when performed. Reimbursement is allowed for one postpartum visit per 270 days.

The reimbursement for the postpartum care visit includes, but is not limited to:

- ❖ Physical examination;
- ❖ Body mass index (BMI) assessment and blood pressure check;
- ❖ Routine dipstick urinalysis;
- ❖ Follow up plan for women with gestational diabetes;
- ❖ Family planning counseling;
- ❖ Breast feeding support including referral to the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), if needed;
- ❖ Screening for postpartum depression and intimate partner violence; and
- ❖ Other counseling and or services associated with releasing a patient from obstetrical care.

## Prenatal Laboratory and Ultrasound Services

### Prenatal Lab Panels

The MCO shall cover the obstetric panel test as defined by CPT only once per pregnancy.

The MCO shall cover a complete urinalysis only once per pregnancy (270 days) per billing provider, or more when medically necessary, for example, to diagnose a disease or infection of the genitourinary tract.

### Non-Invasive Prenatal Testing

Non-Invasive Prenatal Testing (NIPT) is a genetic test which uses maternal blood that contains cell-free fetal deoxyribonucleic acid (DNA) from the placenta. NIPT is completed during the pre-natal period of pregnancy to screen for the presence of some common fetal chromosomal abnormalities. Common types of chromosomal abnormalities (aneuploidies and microdeletions) in fetuses include:

- ❖ Trisomy 21 (Down syndrome);
- ❖ Trisomy 18 (Edwards syndrome); and
- ❖ Trisomy 13 (Patau syndrome).

The MCO shall cover NIPT when medically necessary and without the requirement of prior authorization.

NIPT is considered medically necessary once per pregnancy for pregnant women over the age of 35, and for women of all ages who meet one or more of the following high-risk criteria:

- ❖ Abnormal first trimester screen, quad screen or integrated screen;
- ❖ Abnormal fetal ultrasound scan indicating increased risk of aneuploidy;
- ❖ Prior family history of aneuploidy in first (1<sup>st</sup>) degree relative<sup>10</sup> for either parent;
- ❖ Previous history of pregnancy with aneuploidy; and

<sup>10</sup> 1<sup>st</sup> degree relative is defined as a person's parent, child, or sibling.

- ❖ Known Robertsonian translocation in either parent involving chromosomes 13 or 21.

The MCO shall not cover NIPT for women with multiple gestations.

## Ultrasounds

A minimum of three obstetric ultrasounds shall be reimbursed per pregnancy (270 days) without the requirement of prior authorization or medical review when performed by providers other than maternal fetal medicine specialists:

- ❖ When an obstetric ultrasound is performed for an individual with multiple gestations, leading to more than one procedure code being submitted, this shall only be counted as one obstetric ultrasound; and
- ❖ Obstetric ultrasounds performed in inpatient hospital, emergency department, and labor and delivery triage settings are excluded from this count.

For maternal fetal medicine specialists, there shall be no prior authorization or medical review required for reimbursement of obstetric ultrasounds. In addition, reimbursement for CPT codes 76811 and 76812 is restricted to maternal fetal medicine specialists. In all cases, obstetric ultrasounds must be medically necessary to be eligible for reimbursement.

## 17-Alpha Hydroxyprogesterone Caproate

The MCO shall cover 17-alpha hydroxyprogesterone caproate (17P) without the requirement of prior authorization when substantiated by an appropriate diagnosis and all of the following criteria are met:

- ❖ Current pregnancy with a history of pre-term delivery before 37 weeks gestation;
- ❖ No symptoms of pre-term in the current pregnancy;
- ❖ Current singleton pregnancy; and
- ❖ Treatment initiation between 16 weeks 0 days and 23 weeks 6 days gestation.

## Fetal Non-Stress Test

The MCO shall cover fetal non-stress tests when medically necessary as determined by meeting one of the following criteria:

- ❖ The pregnancy is post-date/post-maturity (after 41 weeks gestation);
- ❖ The treating provider suspects potential fetal problems in an otherwise normal pregnancy; or
- ❖ The pregnancy is high risk, including but not limited to diabetes mellitus, pre-eclampsia, eclampsia, multiple gestations, and previous intrauterine fetal death.

## Fetal Biophysical Profile

The MCO shall cover fetal biophysical profiles when medically necessary, as determined by meeting at least two of the following criteria:

- ❖ Gestation period is at least 28 weeks
- ❖ Pregnancy must be high-risk, and if so, the diagnosis should reflect high risk
- ❖ Uteroplacental insufficiency must be suspected in a normal pregnancy

## **Tobacco Cessation Counseling During Pregnancy**

The MCO shall cover tobacco cessation counseling for pregnant enrollees when provided by the enrollee's PCP or OB provider. Tobacco cessation counseling may be provided by other appropriate healthcare professionals upon referral from the enrollee's PCP or OB provider, but all care must be coordinated.

During the prenatal period through 60 days postpartum, the MCO shall cover up to four tobacco cessation counseling sessions per quit attempt, up to two quit attempts per calendar year, for a maximum of eight counseling sessions per calendar year. These limits may be exceeded if deemed medically necessary.

Minimum reimbursement for tobacco cessation counseling shall be based on the applicable current procedural terminology (CPT) code on the Professional Services Fee Schedule and must be supported by appropriate documentation. The MCO shall require the -TH modifier to be included on claims for tobacco cessation counseling within the prenatal period. The -TH modifier is not to be used for services in the postpartum period.

If tobacco cessation counseling is provided as a significant and separately identifiable service on the same day as an E&M visit and is supported by clinical documentation, a modifier to indicate a separate service may be used, when applicable.

## **Organ Transplants**

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The MCO shall cover medically necessary organ transplants when performed in a hospital that is a Medicare approved transplant center for that procedure.

## **Physician Administered Medication**

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The MCO shall cover medically necessary physician-administered medications that are reimbursable in Louisiana Medicaid. For those medications that are on the Louisiana Medicaid FFS fee schedules, the MCO shall also cover them in the medical benefit. The MCO may also elect to cover these medications in the pharmacy benefit. For those medications that are not on the Louisiana Medicaid FFS fee schedules, the MCO may cover them in either the medical benefit, the pharmacy benefit, or both.

Physician administered medication that are included on the Single PDL shall have the same preferred status and prior authorization criteria as the Single PDL, even when billed and paid as a medical benefit.

At a minimum, administration of the medication may be billed using the lowest level office visit (CPT procedure code 99211) if a higher-level evaluation and management visit has not been submitted for that date by the rendering provider. Any alternative reimbursement for medication administration must be equivalent to or greater than the reimbursement for CPT code 99211.

The MCO shall apply edits for physician-administered drugs, updated quarterly, based on the CMS NDC-HCPCS Crosswalk file.

## **Physician Assistants**

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Unless otherwise excluded by Louisiana Medicaid, the services rendered by physician assistants shall be determined by individual licensure, scope of practice, and supervising physician delegation. The supervising

physician must be an enrolled Medicaid provider. Clinical practice guidelines and protocols shall be available for review upon request by authorized representatives of Louisiana Medicaid and contracted MCOs.

Immunizations, physician-administered drugs, long-acting reversible contraceptives, and Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) medical, vision, and hearing screens are reimbursed at a minimum of 100% of the physician fee on file. All other reimbursable procedures are reimbursed at a minimum of 80% of the physician fee on file.

Physician assistants must obtain an individual Medicaid provider number and, when the rendering provider, must bill under this provider number for services rendered.

## Preventive Services for Adults

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The MCO shall cover all United States Preventive Services Task Force Grade A and B preventive services for adults age 21 years and older without restrictions or prior authorization. In addition, the MCO shall cover one preventive medicine E&M service for adults aged 21 years and older per calendar year.

The MCO's policy for preventive medicine E&M services shall include the following:

- ❖ Providers are to use the appropriate Preventive Medicine Services "New Patient" or "Established Patient" Current Procedural Terminology (CPT) code based on the age of the enrollee when submitting claims for the services.
- ❖ The information gathered during the preventive medicine visit is to be forwarded to any requesting provider in order to communicate findings and prevent duplicative services.
- ❖ Preventive medicine E&M services are comprehensive in nature and should reflect age and gender specific services.
- ❖ The medical record documentation must include, but is not limited to:
  - Physical examination;
  - Medical and social history review;
  - Counseling/anticipatory guidance/risk factor reduction intervention; and
  - Screening test(s) and results.

In addition, the MCO shall cover one preventive gynecological examination per calendar year for enrollees aged 21 and over when performed by a primary care provider or gynecologist. This is to allow enrollees to receive both the necessary primary care and gynecological components of their annual preventive screening visits. The visit must include:

- ❖ Examination;
- ❖ Sexually Transmitted Infection (STI) screening and counseling;
- ❖ Breast and pelvic examination;
- ❖ Pap smear, if appropriate; and
- ❖ Contraceptive methods and counseling, as age appropriate.

If an abnormality or pre-existing problem is encountered and treatment is significant enough to require additional work to perform the key components of a problem oriented E&M service on the same date of service by the provider performing the preventive medicine service visit, the MCO shall not cover any additional office visit of a higher level than CPT code 99212.

The MCO shall not require a referral for access to a women's health specialist for routine and preventive women's health care services.

## Radiology Services

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The MCO shall cover inpatient and outpatient radiology services.

The MCO shall cover radiological services that may be required to treat an emergency or to provide surgical services for an excluded service, such as dental services.

The MCO shall not reimburse providers for the full service of radiology services that are not performed in the providers' own offices, including tests which are sent to other facilities for processing.

NOTE: Refer to the *Laboratory Services* and *Portable X-Ray Services* sections of this Manual for additional information.

## Sterilizations

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### Coverage Requirements

In accordance with federal regulations, the MCO shall cover sterilizations if the following requirements are met:

- ❖ The individual is at least 21 years of age at the time the consent is obtained;
- ❖ The individual is not a mentally incompetent individual;
- ❖ The individual has voluntarily given informed consent in accordance with all federal requirements; and
- ❖ At least 30 days, but no more than 180 days, have passed between the date of the informed consent and the date of sterilization, except in the case of premature delivery or emergency abdominal surgery. An individual may consent to be sterilized at the time of a premature delivery or emergency abdominal surgery, if at least 72 hours have passed since an enrollee gave informed consent for the sterilization. In the case of premature delivery, the informed consent must have been given at least 30 days before the expected date of delivery.

The MCO shall not cover hysterectomies performed solely for the purpose of terminating reproductive capability (sterilization). Refer to the *Hysterectomies* section of this Manual for additional information.

### Sterilization Consent Form Requirements

The MCO shall direct providers to use the current sterilization consent forms (HHS-687 available in English and HHS-687-1 available in Spanish) from the U.S. Department of Health and Human Services website [[link](#)].

The MCO shall require the consent form to be signed and dated by:

- ❖ The individual to be sterilized;
- ❖ The interpreter, if one was provided;
- ❖ The person who obtained the consent; and
- ❖ The physician performing the sterilization procedure.

NOTE: If the physician who performed the sterilization procedure is the one who obtained the consent, the physician must sign both statements.

The physician who obtains the consent must share the consent form with all providers involved in that enrollee's care (e.g., attending physician, hospital, anesthesiologist, and assistant surgeon).

Enrollees who undergo a covered hysterectomy must complete a hysterectomy consent form but are not required to complete a sterilization consent form. Refer to the *Hysterectomies* section of this Manual for additional information.

## Consent Forms and Name Changes

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For services requiring a sterilization consent form, the enrollee's name on the Medicaid file for the date of service must be the same as the name signed at the time of consent. If the enrollee's name is different, the provider must attach a letter from the provider's office from which the consent was obtained. The letter must be signed by the physician and must state the enrollee's name has changed and must include the enrollee's social security number and date of birth.

It is the MCO's responsibility to ensure that required documentation is maintained by the provider.

## Correcting the Sterilization Consent Form

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The informed consent must be obtained and documented prior to the performance of the sterilization.

Errors in the following sections can be corrected, but only by the person over whose signature they appear:

- ❖ "Consent to Sterilization";
- ❖ "Interpreter's Statement";
- ❖ "Statement of Person Obtaining Consent"; and
- ❖ "Physician's Statement".

If either the enrollee, the interpreter, or the person obtaining consent returns to the office to make a correction to his or her portion of the consent form, the medical record must reflect his or her presence in the office on the day of the correction.

To make an allowable correction to the form, the individual making the correction must line through the mistake once, write the corrected information above or to the side of the mistake, and initial and date the correction. Erasures, "write-overs", or use of correction fluid in making corrections are unacceptable.

Only the enrollee can correct the date to the right of their signature. The same applies to the interpreter, to the person obtaining consent, and to the doctor. The corrections of the enrollee, the interpreter, and the person obtaining consent must be made before the claim is submitted.

The date of the sterilization may be corrected either before or after submission by the doctor over whose signature it appears. However, the operative report must support the corrected date.

## Reimbursement

Prior to reimbursement, the MCO shall ensure that the sterilization consent form is obtained. The MCO shall allow ancillary providers and hospitals to submit claims without the hard copy consent. The MCO shall reimburse these

providers only if the provider performing the sterilization submitted a valid sterilization consent and was reimbursed for the procedure.

The MCO is responsible for maintaining required documentation and shall not shred documentation without prior approval by LDH.

## Substitute Physician Billing

The MCO shall allow both the reciprocal billing arrangement and the locum tenens arrangement when providers utilize substitute physician services.

### Reciprocal Billing Arrangement

A reciprocal billing arrangement occurs when a regular physician or group has a substitute physician provide covered services to a Medicaid enrollee on an occasional reciprocal basis. A physician can have reciprocal arrangements with more than one physician. The arrangements need not be in writing.

The enrollee's regular physician may submit the claim and receive reimbursement for covered services which the regular physician arranges to be provided by a substitute physician on an occasional reciprocal basis if:

- ❖ The regular physician is unavailable to provide the services.
- ❖ The substitute physician does not provide the services to Medicaid enrollees over a continuous period of longer than 60 days.

NOTE: A continuous period of covered services begins with the first day on which the substitute physician provides covered services to Medicaid enrollees of the regular physician, and ends with the last day on which the substitute physician provides these services to the enrollees before the regular physician returns to work. This period continues without interruption on days on which no covered services are provided on behalf of the regular physician. A new period of covered services can begin after the regular physician has returned to work. If the regular physician does not come back after the 60 days, the substitute physician must bill for the services under his or her own Medicaid provider number.

- ❖ The regular physician identifies the services as substitute physician services by entering the Healthcare Common Procedure Coding System (HCPCS) modifier - Q5 after the procedure code on the claim. By entering the -Q5 modifier, the regular physician (or billing group) is certifying that the services billed are covered services furnished by the substitute physician for which the regular physician is entitled to submit Medicaid claims.
- ❖ The regular physician must keep on file a record of each service provided by the substitute physician and make the record available to Louisiana Medicaid or its representatives upon request.

This situation **does not apply** to the substitution arrangements among physicians in the same medical group where claims are submitted in the name of the group. On claims submitted by the group, the group physician who actually performed the service must be identified.

### Locum Tenens Arrangement

A locum tenens arrangement occurs when a substitute physician is retained to take over a regular physician's professional practice for reasons such as illness, pregnancy, vacation, or continuing medical education. The substitute physician generally has no practice of his or her own. The regular physician usually pays the substitute

physician a fixed amount per diem, with the substitute physician being an independent contractor rather than an employee.

The regular physician can submit a claim and receive reimbursement for covered services of a locum tenens physician who is not an employee of the regular physician if:

- ❖ The regular physician is unavailable to provide the services.
- ❖ The regular physician pays the locum tenens for his or her services on a per diem or similar fee-for-time basis.
- ❖ The substitute physician does not provide the services to Medicaid enrollees over a continuous period of longer than 60 days.

NOTE: A continuous period of covered services begins with the first day on which the substitute physician provides covered services to Medicaid enrollees of the regular physician, and ends with the last day on which the substitute physician provides these services to the enrollees before the regular physician returns to work. This period continues without interruption on days on which no covered services are provided on behalf of the regular physician. A new period of covered services can begin after the regular physician has returned to work. If the regular physician does not come back after the 60 days, a new 60-day period can begin with a different locum tenens doctor.

- ❖ The regular physician identifies the services as substitute physician services by entering HCPCS modifier - Q6 after the procedure code on the claim.
- ❖ The regular physician must keep on file a record of each service provided by the substitute physician and make the record available to Louisiana Medicaid, contracted MCOs, or its representatives upon request.

## Telemedicine/Telehealth

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Telemedicine/telehealth is the use of a telecommunications system to render healthcare services when a physician or other licensed practitioner and an enrollee are not in the same location.

The telecommunications system shall include, at a minimum, audio and video equipment permitting two-way, real-time interactive communication between the beneficiary at the originating site and the physician or other licensed practitioner at the distant site. The telecommunications system must be secure, ensure patient confidentiality, and be compliant with the requirements of the Health Insurance Portability and Accountability Act.

Originating site means the location of the Medicaid enrollee at the time the services are provided. There is no restriction on the originating site and it can include, but is not limited to, a healthcare facility, school, or the enrollee's home.

Distant site means the site at which the physician or other licensed practitioner is located at the time the services are provided. When approved by LDH in accordance with the Contract, the distant site may include a provider or facility that is not physically located in this state in temporary or emergency situations (e.g., pandemics, natural disasters).

When otherwise covered, the MCO shall cover services located in the Telemedicine appendix of the CPT manual, or its successor, when provided by telemedicine/telehealth. In addition, the MCO shall cover other services provided by telemedicine/telehealth when indicated as covered via telemedicine/telehealth in Medicaid program policy. The MCO shall ensure adequate availability of telemedicine/telehealth during declared emergencies,

disasters, and pandemics. Physicians and other licensed practitioners must continue to adhere to all existing clinical policy for all services rendered. Providing services through telemedicine/telehealth does not remove or add any medical necessity requirements.

## Reimbursement

The MCO shall reimburse the distant site provider for services provided via telemedicine/telehealth. Reimbursement for services provided by telemedicine/telehealth is at the same level as services provided in person.

The MCO shall require the provider to include in the enrollee's clinical record documentation that the service was provided through the use of telemedicine/telehealth.

The distant site provider must be enrolled as a Louisiana Medicaid provider to receive reimbursement for covered services rendered to Louisiana Medicaid enrollees.

## Billing

Medicaid covered services provided using telemedicine must be identified on claims submissions form by appending the modifier "95" to the applicable procedure code and indicate Place of Service (POS) 02. The MCO shall deny claims that do not have both the correct POS and modifier present on the claim.

## Therapy Services

The MCO shall cover speech therapy, physical therapy, and occupational therapy services to enrollees of any age and without restrictions to place of service.

## Vagus Nerve Stimulators

The MCO shall cover implantation of the vagus nerve stimulator (VNS) when the treatment is considered medically necessary, the enrollee meets the published criteria, and the enrollee has a diagnosis of medically intractable epilepsy.

## Criteria for Enrollee Selection

The following criteria shall be used to determine medical necessity of the VNS:

- ❖ Partial epilepsy confirmed and classified according to the International League Against Epilepsy (ILAE) classification. The enrollee may also have associated generalized seizures, such as tonic, tonic-clonic, or atonic. The VNS may have efficacy in primary generalized epilepsy as well;
- ❖ Age 12 years or older, although case by case consideration may be given to younger children who meet all other criteria and have sufficient body mass to support the implanted system;
- ❖ Seizures refractory to medical anti-epilepsy treatment, with adequately documented trials of appropriate standard and newer anti-epilepsy drugs or documentation of enrollee's inability to tolerate these medications;

- ❖ Enrollee has undergone surgical evaluation and is considered not to be an optimal candidate for epilepsy surgery;
- ❖ Enrollee is experiencing at least four to six identifiable partial onset seizures each month. Enrollee must have had a diagnosis of intractable epilepsy for at least two years. The two-year period may be waived if waiting would be seriously harmful to the enrollee to six identifiable partial onset seizures each month. Enrollee must have had a diagnosis of intractable epilepsy for at least two years. The two-year period may be waived if waiting would be seriously harmful to the enrollee;
- ❖ Enrollee must have undergone quality of life (QOL) measurements. The choice of instruments used for the QOL measurements must assess quantifiable measures of daily life in addition to the occurrence of seizures; and
- ❖ In the expert opinion of the treating physician, there must be reason to believe that QOL will improve as a result of implantation of the VNS. This improvement should occur in addition to the benefit of seizure frequency reduction. The treating physician must document this opinion clearly.

## Exclusion Criteria

Regardless of the criteria for enrollee selection, the MCO shall not cover VNS implantation if the enrollee has one or more of the following criteria:

- ❖ Psychogenic seizures or other non-epileptic seizures;
- ❖ Insufficient body mass to support the implanted system;
- ❖ Systemic or localized infections that could infect the implanted system; or
- ❖ A progressive disorder contraindicated to VNS implantation (e.g., malignant brain neoplasm, Rasmussen's encephalitis, Landau-Kleffner syndrome and progressive metabolic and degenerative disorders).

## Place of Service Restriction

The MCO shall restrict coverage of the surgery to implant the VNS to an outpatient hospital, unless medically contraindicated.

## Coverage Requirements

Coverage for vagus nerve stimulation shall include, but is not limited to, the following:

- ❖ Vagus nerve stimulator;
- ❖ Implantation of VNS;
- ❖ Programming of the VNS; and
- ❖ Battery replacement.

## PART 5: CARE MANAGEMENT

The MCO shall design a comprehensive care management program to support enrollees, regardless of age, based on individualized assessment of care needs.

### INDEPENDENT EVALUATIONS FOR PASRR LEVEL II

The MCO shall be responsible for conducting PASRR Level II evaluations of enrollees upon referral from LDH. Referrals will be based upon the need for an independent evaluation to determine the need for nursing facility services and/ or the need for specialized services to address mental health issues while the enrollee is in a nursing facility. This evaluation shall include those individuals with a dual SMI and ID/DD condition, though it does not include individuals with only an OCDD Statement of Approval; there is a separate determination process outside of this Contract for these evaluations.

In conducting the evaluation, the MCO shall follow the criteria set forth in 42 C.F.R. §483.100 - 138 and shall utilize the PASRR Level II standardized evaluation form provided by LDH.

Evaluators may use relevant evaluative data, obtained prior to initiation of PASRR, if the data are considered valid and accurate and reflect the current functional status of the individual. However, if necessary to supplement and verify the currency and accuracy of existing data, the evaluator shall gather additional information necessary to assess proper placement and treatment. For those individuals without sufficient documentation to establish the validity of a primary dementia diagnosis, this may include authorizing additional professional evaluation to ensure appropriate diagnosis and differentiation.

In order to comply with federally mandated timelines, the MCO shall submit the completed Level II evaluation report to OBH within four business days of receipt of the referral from LDH.

All screenings and evaluations shall begin with the presumption that individuals can live in community-based residences. In conducting Level II evaluations, the MCO shall ensure that recommendations focus on ensuring the least restrictive setting appropriate with the appropriate services, including case management services as described in the Contract. The MCO shall ensure that these recommended services are offered to the enrollee. This evaluation will confirm whether the individual has SMI and will detail with specificity the services and supports necessary to live successfully in the community. It shall address options for where the individual might live in the community. Additionally, the MCO shall ensure that all individuals applying for nursing facility services are provided with information about community options.

When LDH determines that nursing facility services are not appropriate, the MCO shall assist eligible enrollees to obtain appropriate alternative behavioral health services available under this Contract.

If at any time, the MCO identifies or becomes aware of an enrollee with serious mental illness (SMI) that is residing in a nursing home who has an SMI but who has not received a Level II determination, the MCO shall notify LDH, and shall conduct the evaluation upon request by LDH.

## PASRR TRACKING

The MCO shall track enrollees who went through the PASRR process, those residing in a nursing facility (NF), those identified with SMI, and those receiving specialized services as per 42 C.F.R. §483.130. Additionally, the MCO shall track enrollees who are offered and are receiving case management services as well as those who are diverted from NF placement.

The MCO shall track and report quarterly to LDH the delivery of all PASRR specialized behavioral health services as defined and required under 42 C.F.R. §483.120 and the DOJ Settlement Agreement.

The MCO shall advise OBH and Medicaid on any barriers to completing the PASRR evaluations or tracking process.

The MCO shall notify OBH as outlined in the LDH-issue reporting template of any problems or issues with the PASRR process.

MCO shall retain records of the PASRR process for 10 years in order to support OBH determinations, and to protect the individual's appeal rights as per 42 C.F.R. §483.130.

## SERVICES TO COMPLY WITH THE DOJ AGREEMENT

The MCO shall support LDH in its compliance with the Department's agreement with the United States Department of Justice (DOJ) to reduce reliance on nursing facility-based care for individuals with SMI. This includes, but is not limited to, providing assistance to LDH in executing the DOJ Agreement Implementation Plan, the development of a statewide crisis plan for individuals with SMI, and performing a service system gap analysis.

The MCO shall assist LDH to identify enrollees with SMI who are receiving facility-based care, as well as those who are at risk of nursing facility placement. The MCO shall ensure that the enrollee is receiving all necessary behavioral health services within that nursing facility and to support the development of a care transition plan, where appropriate. For the diversion population, the MCO shall ensure those at risk of nursing facility placement are provided adequate services while in the community in an effort to ensure their needs are met and the need for a higher level of care is mitigated whenever possible. Care transition plans shall include case management for the enrollees upon transition for at least a 12-month period.

The MCO shall help identify and provide community based behavioral health services and service models to support reduction of use of facility-based care for individuals with SMI, by developing a robust provider network that can successfully serve enrollees in the community.

## WOMEN, INFANT, AND CHILDREN (WIC) PROGRAM REFERRAL

The MCO shall refer of potentially eligible women, infants, and children and report appropriate medical information to the WIC Program. A sample referral/release of information form is found in the *Resources* section.

## PART 6: POPULATION HEALTH AND SOCIAL DETERMINANTS OF HEALTH

The population health approach seeks to maintain and improve the health status of the entire population through prevention, while systematically identifying subpopulations with complex needs and implementing strategies to improve status and reduce health inequities among subpopulations.

The MCO shall encourage and train providers to include Z codes in the ICD-10 CM on claims in order to track factors influencing health status and not for use in determining payment.

### STAFFING ROLES AND RESPONSIBILITIES

As part of the Population Health Strategic Plan, the MCO shall ensure that CHWs, supervisors, and program directors successfully complete training on the following core competencies relevant to their roles.

- ❖ **Community Health Worker**
  - Adherence to intervention: Follows work practice manual for providing social support, care coordination, advocacy, etc. for patients
  - Organization: Utilizes tools to plan work and manage time (e.g. to-do list, calendar)
  - Explanation of role: Accurately describes CHW role to patients and other members of care team
  - Safety: Follows safety protocol set by organization (e.g. alerts supervisor when beginning/ending home visits)
- ❖ **Supervisor**
  - Adherence to intervention: Adheres to work practice manual for CHW Supervisors, including best practices for one-on-one CHW supervision (e.g. caseload review)
  - Organization: Utilizes tools to plan work and manage time
  - Explanation of program: Effectively describes the CHW role to care teams
  - Safety: Follows safety protocol set by organization (e.g. ensures CHWs check-out of home visits)
  - Performance assessments: Uses CHW performance reports to understand challenges and coach to improve results
  - Team leadership: Facilitates dynamic and engaging team meetings with ample CHW participation
- ❖ **Program Director**
  - Knowledge of intervention: Knowledge of work practice manuals for CHWs and CHW Supervisors
  - Organization: Utilizes tools to plan work and manage time
  - Explanation of program: Compellingly describes program design, goals, structure and results to partner organizations
  - Safety: Follows safety protocol set by organization (e.g. meets with CHWs who express safety concerns)
  - Performance assessment: Aggregates and analyzes CHW performance reports to ensure quality across the program
  - Enrollment targets: Sets and manages to quarterly patient enrollment goals; troubleshoots issues to stay on track

- Organizational change: Manages process for revising work practice manuals and ensures uptake of changes across organization
- CHW hiring: Articulates desired CHW characteristics and leads hiring process to assess for these elements

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## PART 7: PROVIDER CLAIMS & REIMBURSEMENT

The MCO shall administer an effective, accurate and efficient claims processing system that adjudicates provider claims for covered services that are fulfilled within the timeframes specified in the Contract and the Manual.

LDH is responsible for setting and defining minimum provider rates for Medicaid covered services. The MCO shall reimburse providers no less than the published Medicaid FFS rate or that is contained on the weekly procedure file sent to the MCO by the fiscal intermediary in effect on the date of service unless mutually agreed to by both the MCO and the provider. Nothing herein shall restrict the MCO from reimbursing at a higher rate than would be reimbursed by Medicaid FFS.

Required data elements are provided in the **MCO System Companion Guide**.

### EXCEPTIONS TO CLAIMS TIMELY FILING GUIDELINES

MCOs must comply with the following exceptions to the 365-day timely filing guidelines:

- ❖ **Administrative Error:** This is where the failure to meet the filing deadline is caused by error or misrepresentation of the MCO, its subcontractor, or LDH. In these cases, the MCO shall extend the timely filing through the last day of the sixth month following the month in which the enrollee, provider, or supplier received notice from the MCO that an error or misrepresentation was corrected.
- ❖ **Retroactive Medicaid entitlement or retroactive MCO enrollment:** This is where a beneficiary receives notification of Medicaid entitlement and/or MCO enrollment retroactive to or before the date the service was furnished. In these cases the MCO shall extend timely filing to 365 calendar days from the date of service or 180 calendar days from the enrollee's linkage add date in the enrollee's 834 eligibility file, whichever is later.

### ADJUSTMENTS AND VOIDS

The MCO may adjust or void incorrect claims payments.

The MCO may adjust or void incorrect claims payments electronically or hard copy. Adjustments/voids must be submitted on the correct adjustment/void forms.

Only one internal control number (ICN) should be adjusted or voided on each form.

Only a paid claim can be adjusted or voided.

For purposes of MCO reporting on payment to providers, an adjustment to a paid claim shall not be counted as a claim and electronic claims shall be treated as identical to paper based claims.

## INTEREST PAYMENTS

Interest owed to the provider must be reported on the encounter submission to the fiscal intermediary as defined in the **MCO System Companion Guide**.

## PAYMENT RECOUPMENTS

The MCO may recoup provider payments for a variety of reasons, including but not limited to the following:

- ❖ Retroactive enrollment or disenrollment due to Medicaid or Medicare eligibility changes;
- ❖ Discovery of improper payments through either of the following reviews:
  - Automated review (i.e., analysis of paid claims) up to one year from the date of payment;
  - Complex review (i.e., requires review of medical, financial, and/or other records) up to five years from date of service; or
- ❖ Third party liability.

The MCO shall not recoup payments simply on the basis of an encounter being denied. The MCO may submit inquiries about encounter denials using the MMIS Inquiry Form as outlined in the **MCO System Companion Guide**.

The MCO should refer to the *Eligibility and Enrollment* and *Third Party Liability* sections of this Manual as well as the Contract for additional requirements, including provider notification requirements.

## FQHC/RHC CONTRACTING AND REIMBURSEMENT

Behavioral health services provided in a FQHC or RHC may be reimbursed via the Prospective Payment System (PPS) rate, when provided by approved practitioner types as established in the Medicaid FQHC Provider Manual (e.g., psychiatrists, licensed clinical psychologists, psychiatric nurse practitioners, and licensed clinical social workers), and in accordance with established FQHC/RHC Medicaid rules, policies and manuals.

Mental Health Rehabilitation (MHR) State Plan services may be provided by an FQHC or RHC under the following conditions:

- ❖ The FQHC/RHC has HRSA approval to provide ambulatory MHR services;
- ❖ Services are provided by a psychiatrist, licensed clinical psychologist or licensed clinical social worker;
- ❖ Services are delivered in accordance with the State Plan, as well as all federal and state laws; and
- ❖ Services are billed via the all-inclusive PPS rate.

FQHCs or RHCs providing MHR services outside of the above established parameters may not be reimbursed with Medicaid funding for these services. Such entities desirous of providing MHR services must enroll separately with the MCO as an appropriate Behavioral Health Service Provider (BHSP) type with a unique National Provider Identifier (NPI), be licensed as a BHSP issued by LDH Health Standards, and bill in accordance with the SBHS Medicaid rules, policies and manuals.

## PART 8: ENCOUNTERS

The MCO shall submit encounter data according to specifications, including data elements and reporting requirements, outlined in the **MCO System Companion Guide**

The MCO shall submit paid, denied, adjusted, and voided claims with the appropriate identifiers established in the **MCO System Companion Guide** to indicate these claims as encounters.

The MCO should refer to the **MCO System Companion Guide** for a list of encounter edit codes.

### CLAIMS SUMMARY REPORT

The MCO must submit monthly Claims Summary Reports of paid and denied claims to LDH by claim type per instructions in the **MCO System Companion Guide**.

### PHARMACY ENCOUNTERS

The MCO shall submit a weekly claim-level detail file of pharmacy encounters to LDH which includes individual claim-level detail information on each pharmacy claim dispensed to a Medicaid patient, including but not limited to the total number of metric units, dosage form, strength and package size, National Drug Code of each covered outpatient drug dispensed to Medicaid enrollees. See the **Batch Pharmacy Encounters Companion Guide** for a complete listing of claim fields required.

### Disputed Pharmacy Encounter Submissions

Within 60 calendar days of receipt of the disputed encounter file from LDH, the MCO shall, if needed, correct and resubmit any disputed encounters and send a response file that includes 1) corrected and resubmitted encounters as described in the Rebate Section of the Batch Pharmacy Encounters Companion Guide and/or 2) a detailed explanation of why the disputed encounters could not be corrected including documentation of all attempts to correct the disputed encounters at an encounter claim level detail, as described in the Rebate Section.

### 340B Claim Level Indicators

- ❖ Carve In Pharmacy Claims: On 340B claims, a value of “20” in NCPDP field 420-DK (Submission Clarification Code) and a value of “8” in NCPDP field 423-DN (Basis of Cost Determination) shall be submitted in the pharmacy claim segment of a billing transaction.
- ❖ Professional Services Claims (Physician- Administered Drug Claims): Physician-Administered drug claims shall use the UD modifier to identify 340B drugs on outpatient physician-administered drug claims.
- ❖ Carve-Out Claims: Covered entities who carve out Medicaid beneficiaries shall bill according to guidelines provided in each plan’s provider manual.

## SKILLED NURSING FACILITIES ENCOUNTER CLAIMS

This guidance is regarding the bill type to capture the reimbursement of skilled nursing facilities as an in lieu of service.

The fiscal intermediary is currently rejecting encounters for skilled nursing facilities when MCOs use bill type 21x. Therefore, LDH is authorizing MCOs to amend the bill type when submitting the encounters for skilled nursing facilities that are medically appropriate and a cost effective alternative to an inpatient hospital stay, to bill type 11x (instead of bill type 21x). By taking this action, these encounters will be captured as inpatient skilled nursing facility encounter claims.

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## PART 9: PROVIDER NETWORK

The MCO must develop, maintain, and monitor its provider network to ensure the availability and accessibility of MCO covered services as required by the Contract. This includes, but is not limited to, complying with geographic access, and appointment and wait times for enrollees.

### AVAILABILITY AND ACCESSIBILITY REQUIREMENTS

The MCO shall submit quarterly reports in the format specified by LDH documenting the geographic availability of network providers including PCPs, hospitals, pharmacies, and each specialty type listed in the Contract and herein. The MCO's network assessment shall compare the distribution of enrollees to the distribution of providers by region and parish, considering urban and rural standards as specified by LDH.

The MCO shall submit reports documenting the geographic availability of network providers including PCPs, hospitals, pharmacies, and each specialty type listed below.

<i>Specialty</i>	Louisiana Provider Specialty	Medicaid Specialty	NPPES Code	Taxonomy
<i>Primary Care Providers</i>				
<i>Family Practice</i>	8		207Q00000X	
<i>FQHCs</i>	42		261QF0400X	
<i>General Practice</i>	1		208D00000X	
<i>Internal Medicine PCPs</i>	41		207R00000X	
<i>Nurse Practitioners</i>	79		363L00000X	
<i>OB/GYN PCPs</i>	16		207V00000X	
<i>Pediatrics</i>	37		208000000X	
<i>Rural Health Clinics</i>	94		261QR1300X	
<i>Ancillary Services</i>				
<i>Ambulance Service Supplier</i>	59		341600000X	
<i>Dialysis Centers</i>	n/a		261QE0700X	
<i>Durable Medical Equipment</i>	n/a		332B00000X	
<i>Home Health</i>	n/a		251E00000X	
<i>Infusion Therapy</i>	n/a		261QE0700X	
<i>NEMT - Non-profit</i>	45		343900000X	
<i>NEMT – Profit</i>	46		343900000X	
<i>Urgent Care Clinics</i>	7N		261QU0200X	
<i>Hospitals</i>				
<i>Hospitals - General Acute Care</i>	86		282N00000X	
<i>Hospitals - Children's</i>	86		282NC2000X	
<i>Hospital - Rehabilitation</i>	86		283X00000X	
<i>Pharmacies</i>				
<i>Pharmacies</i>	n/a		333600000X	
<i>Specialty</i>				
<i>Adolescent Medicine</i>	1A		2080A0000X	
<i>Allergy</i>	3		207K00000X	
<i>Anesthesiology</i>	5		207L00000X	
<i>Audiologist</i>	64		231H00000X	
<i>Cardiac Electrophysiology</i>	2A		207RC0001X	
<i>Cardiovascular Disease</i>	6		207RC0000X	

Cardiovascular Disease	2B	207RC0000X
Chiropractor	35	111N00000X
Clinic or Other Group Practice	70	261QM1300X
Critical Care Medicine	2C	207RC0200X
Critical Care Medicine	3A	207RC0200X
Dermatology	7	207N00000X
Diagnostic Laboratory	72	293D00000X
Emergency Medicine	1T	207P00000X
Endocrinology & Metabolism	2E	207RE0101X
Family Practice	8	207Q00000X
Gastroenterology	10	207RG0100X
Gastroenterology	2F	207RG0100X
General Practice	1	208D00000X
General Surgery	2	208600000X
Geriatric Medicine	2G	207RG0300X
Geriatrics	38	207RG0300X
Gynecologic oncology	3B	207VX0201X
Hand Surgery	40	2086S0105X
Hematology	2H	207RH0000X
Independent Laboratory	69	291U00000X
Indiv Certified Prosthetist - Ortho	57	225000000X
Infectious Disease	2I	207RI0200X
Internal Medicine	41	207R00000X
Licensed Clinical Social Worker	73	1041C0700X
Maternal & Fetal Medicine	3C	207VM0101X
Med Supply / Certified Orthotist	51	222Z00000X
Med Supply / Certified Prosthetist	52	224P00000X
Medical Oncology	2J	207RX0202X
Neonatal Perinatal Medicine	1C	2080N0001X
Nephrology	39	207RN0300X
Nephrology	2K	207RN0300X
Neurological Surgery	14	207T00000X
Neurology	13	2084N0400X
Nuclear Medicine	2Q	207UN0903X
Nurse Practitioner	79	363L00000X
OB/GYN	16	207V00000X
Occupational Therapy	74	225X00000X
Ophthalmology	18	207W00000X
Optician / Optometrist	88	156FX1800X
Orthodontist	19	1223X0400X
Orthopedic Surgery	20	207X00000X
Otology, Laryngology, Rhinology	4	207W00000X
Pathology	22	207ZP0102X
Pediatric Cardiology	1D	2080P0202X
Pediatric Critical Care Medicine	1E	2080P0203X
Pediatric Day Health Care	1Z	261QM3000X
Pediatric Emergency Medicine	1F	2080P0204X
Pediatric Endocrinology	1G	2080P0205X
Pediatric Gastroenterology	1H	2080P0206X
Pediatric Hematology - Oncology	1I	2080P0207X
Pediatric Infectious Disease	1J	2080P0208X

<i>Pediatric Nephrology</i>	1K	2080P0210X
<i>Pediatric Pulmonology</i>	1L	2080P0214X
<i>Pediatric Rheumatology</i>	1M	2080P0216X
<i>Pediatric Sports Medicine</i>	1N	2080S0010X
<i>Pediatric Surgery</i>	1P	2086S0120X
<i>Pediatrics</i>	37	208000000X
<i>Physical Medicine Rehabilitation</i>	25	208100000X
<i>Physician Assistant</i>	2R	363A00000X
<i>Plastic Surgery</i>	24	208200000X
<i>Podiatric Surgery</i>	48	213ES0131X
<i>Proctology</i>	28	208C00000X
<i>Psychiatry</i>	26	2084P0800X
<i>Pulmonary Disease</i>	2L	207RP1001X
<i>Pulmonary Diseases</i>	29	207RP1001X
<i>Radiology</i>	30	2085R0202X
<i>Rheumatology</i>	2M	207RR0500X
<i>Rural Health Clinic</i>	94	261QR1300X
<i>Speech Therapy</i>	71	235Z00000X
<i>Surgery - Critical Care</i>	2N	2086S0102X
<i>Surgery - General Vascular</i>	2P	2086S0129X
<i>Thoracic Surgery</i>	33	208G00000X
<i>Urology</i>	34	208800000X
<i>Specialized Behavioral Health</i>		
<i>APRN – Clinical Nurse Specialist</i>	26	364SP0808X
<i>APRN – Nurse Practitioner</i>	26	364SP0808X
<i>Assertive Community Treatment</i>	8E	261QM0850X
<i>Behavioral Health Rehab Agency</i>	8E	251S00000X
<i>Center Based Respite</i>	8E	385HR2055X
<i>Certified Peer Specialist</i>	8E	175T00000X
<i>Crisis Receiving Center</i>	8E	261QM0801X
<i>Distinct Part Psychiatric Unit</i>	86	273R00000X
<i>Doctor of Osteopathic Medicine, Psychiatry</i>	26	2084P0800X
<i>Doctor of Osteopathic Medicine, Neurology</i>	27	2084N0400X
<i>Doctor of Osteopathic Medicine, Addiction Medicine</i>	2W	2084A0401X
<i>Federally Qualified Health Center</i>	42	261QF0400X
<i>Freestanding Psychiatric Hospital</i>	86	283Q00000X
<i>Licensed Addiction Counselor</i>	8E	101YA0400X
<i>Licensed Clinical Social Worker</i>	73	1041C0700X
<i>Licensed Marriage Family Therapist</i>	8E	106H00000X
<i>Licensed Professional Counselor</i>	8E	101YP2500X
<i>Medical Psychologist</i>	6G	103TP0016X
<i>Mental Health Clinic (LGEs)</i>	70	261QM0801X
<i>Mental Health Rehab Agency (Legacy)</i>	78	251S00000X
<i>Multi-Systemic Therapy Agency</i>	5M	261QM0855X
<i>Physician Assistant</i>	26	364SP0808X
<i>Psychiatric Residential Treatment Facility</i>	9B	323P00000X
<i>Psychiatric Residential Treatment Facility – Addiction Specialty</i>	8U	323P00000X
<i>Psychiatric Residential Treatment Facility – Other Specialty</i>	8R	323P00000X
<i>Psychiatrist</i>	26	2084P0800X
<i>Psychiatrist - Addictionologist</i>	2W	2084P0802X
<i>Psychologist – Clinical</i>	6A	103TC0700X

<i>Psychologist – Counseling</i>	6B	103TC1900X
<i>Psychologist – Developmental</i>	6D	103TM1800X
<i>Psychologist – Non-Declared</i>	6E	103T00000X
<i>Psychologist – Other</i>	6F	103T00000X
<i>Psychologist – School</i>	6C	103TS0200X
<i>Rural Health Clinic (Independent)</i>	94	261QR1300X
<i>Rural Health Clinic (Provider Based)</i>	94	261QR1300X
<i>School Based Health Center</i>	70	261QH0100X
<i>Substance Abuse &amp; Alcohol Abuse Center (Outpatient)</i>	70	261QR0800X
<i>Substance Use Residential Treatment Facility</i>	8U	324500000X
<i>Therapeutic Foster Care Agency</i>	9F	253J00000X
<i>Therapeutic Group Home</i>	5X	320800000X

The MCO's network assessment shall compare the distribution of enrollees to the distribution of providers by region and parish, considering urban and rural standards as specified by LDH.

The data in the network adequacy reports shall be current, accurate, and consistent with the Contract and this Manual.

The MCO's attestation included with geographic availability reports shall identify deficiencies in its provider network by parish and type of service as well as specific tasks that the MCO will take to mitigate and work to eliminate each identified network deficiency by adding qualified, contracted network providers. The MCO must also identify and address gaps in provider network accessibility in the Network Development and Management Plan along with the MCO's approach to remedy such gaps.

## PROVIDER ENROLLMENT

### Other Enrollment and Disenrollment Requirements

The MCO shall require unlicensed staff of provider organizations rendering and receiving reimbursement for Mental Health Rehabilitation (MHR) services to obtain and submit National Provider Identifier (NPI) numbers to the MCO, as well as documentation verifying the unlicensed staff meets all qualifications and requirements for providing mental health rehabilitation (MHR) services established by State law, rules, regulations, State Plan, waivers, the **Medicaid Behavioral Health Services Provider Manual**, and the Contract, inclusive of Evidence-Based Program (EBP) MHR services, with the exception of Assertive Community Treatment (ACT), which is paid at a per diem rate,, prior to reimbursing agencies for services provided by these staff. Claims submitted for MHR services shall include rendering provider NPIs and other MCO required identifiers regardless of whether the rendering staff is licensed or unlicensed. The MCO shall configure systems to deny claims for services when rendering providers and NPIs are denoted on claims for service that have not been credentialed by the State and approved by the MCO. The MCO shall submit their policies, procedures and a detailed work plan associated with this requirement as a part of the readiness review to LDH for approval. The MCO's work plan shall include timelines associated with systems configuration, systems testing phases, education and outreach to providers, communication notices to providers, and the effective date the MCO's unlicensed staff NPI requirement will go live.

# CREDENTIALING AND RE-CREDENTIALING OF PROVIDERS AND CLINICAL STAFF

The MCO shall provide information to the State's provider management contractor on contracted providers in accordance with the **MCO System Companion Guide**.

See the *Resources* section for a link to the Louisiana Standardized Credentialing Application.

## Specialized Behavioral Health Providers

Prior to contracting via a provider agreement or single case agreement (SCA), or prior to reimbursing for specialized behavioral health services (SBHS), the MCO shall credential providers to ensure provider facilities, organizations, and staff meet all qualifications and requirements established by LDH policy including but not limited to the Behavioral Health Services Provider Manual chapter of the **Medicaid Services Manual**, state and federal laws, and rules and regulations for all specialized behavioral health providers. MCO credentialing files on providers shall include verification of meeting said requirements. This shall include that agencies offering mental health rehabilitation services (CPST, PSR and/or CI), Assertive Community Treatment (ACT), PRTFs, TGHs, SUD residential addiction treatment facilities, and Opioid Treatment Programs supply proof of accreditation by an LDH approved accrediting body, which shall be made part of the agency's credentialing file with the MCO. Agencies, facilities or organizations not accredited at the time of credentialing shall supply proof that they applied for accreditation and paid the initial application fee. Agencies must present proof of full accreditation within 18 months following the date of submission of the accreditation application. Specialized behavioral health provider types required to be accredited by rule, regulation, state or federal law, or waiver or State Plan Amendment (SPA) prior to contracting or prior to receiving Medicaid reimbursement, shall have proof of accreditation on file with the MCO prior to receiving reimbursement from the MCO. LDH approved national accrediting bodies include:

- ❖ The Council on Accreditation (COA);
- ❖ The Commission on Accreditation of Rehabilitation Facilities (CARF); or
- ❖ The Joint Commission (TJC).

Prior to subcontracting via a provider agreement or single case agreement (SCA), or prior to reimbursing for specialized behavioral health services (SBHS), the MCO shall credential providers to ensure they meet requirements of the Behavioral Health Services Provider Manual chapter of the **Medicaid Services Manual**, inclusive of, but not limited to, holding required licensure and accreditation. The MCO shall credential Certified Peer Support Specialists and rendering providers of MHR services to ensure they meet requirements established by state and federal law, regulation, waivers, SPA and the Medicaid Behavioral Health Services Provider Manual prior to entering into provider agreements or reimbursing providers for peer support or MHR services.

## Contracting of Behavioral Health Providers

The MCO shall enter into written agreements with qualified behavioral health service providers to deliver covered behavioral health services to enrollees. The contract shall specify the activities, services and reporting responsibilities delegated to the provider; and provide for revoking delegation, terminating contracts, or imposing other sanctions if the provider's performance is inadequate.

Upon request, LDH shall be given copies of any subcontracts entered into by the MCO regarding behavioral health services, including provider agreements. Any proprietary information regarding rate setting may be redacted by the MCO.

All behavioral health provider agreements shall include the following provisions:

- ❖ The name and address of the subcontracted behavioral health provider.
- ❖ The method and amount of compensation, reimbursement, payment, and other considerations provided to the behavioral health provider.
- ❖ Identification of the population to be served by the behavioral health provider, including the number of members the provider is expected to serve.
- ❖ The amount, duration, and scope of covered behavioral health services to be provided.
- ❖ The provider's treatment site shall be a smoke-free environment.
- ❖ The term of the provider agreement, including beginning and ending dates, and procedures for extension, termination, and renegotiation.
- ❖ The provider is responsible for ensuring any patient data (including data for the uninsured populations) required by the MCO is provided through an EHR interface or an ongoing data file submission.
- ❖ Specific behavioral health provider duties relating to coordination of benefits and determination of third-party liability.
- ❖ Identification of Medicare and other third-party liability coverage and requirements for seeking Medicare or third-party liability payments before submitting claims and/or encounters to MCO, when applicable.
- ❖ Maintenance of an appropriate clinical record keeping system that ensures appropriateness of billing.
- ❖ A requirement that contracted, allowable prescribing providers shall utilize the electronic Medicaid Clinical Data Inquiry (e-CDI) system (accessible via [www.lamedicaid.com](http://www.lamedicaid.com)) to perform medication searches within the member's medical history to ensure that appropriate medication management is conducted.
- ❖ Compliance with the requirements in the MCO QAPI and UM plans/program including PIP and Corrective Action Plans.
- ❖ Language that requires a written contract amendment and prior approval of LDH, if the provider participates in any merger, reorganization, or changes in ownership or control, that is related to or affiliated with the MCO.
- ❖ The HIPAA Business Associate Addendum.
- ❖ Assumption of full responsibility for all tax obligations, worker's compensation insurance, and all other applicable insurance coverage obligations required in this contract, for itself and its employees, and that LDH shall have no responsibility or liability for any taxes or insurance coverage.
- ❖ Incorporation by reference of the Behavioral Health Services Provider Manual chapter of the **Medicaid Services Manual**, electronic access to the Behavioral Health Services Provider Manual chapter, the MCO's Provider Manual and language that requires the behavioral health provider comply with all requirements stated in the Behavioral Health Services Provider Manual chapter in effect at the time of service provision, this contract and CMS approved waivers and SPA.
- ❖ A requirement that all behavioral health network providers request a standardized release of information from each member to allow the network provider to coordinate treatment with the member's primary care physician.
- ❖ A requirement that the behavioral health provider notify the MCO when it is not accepting new clients, or if it does not accept a client and the associated cause.

- ❖ Compliance with encounter reporting and claims submission requirements in accordance with this contract (to be detailed in the MCO's Provider Manual), including payment withhold provisions and penalties for non-reporting, untimely reporting, or inaccurate reporting.
- ❖ A provision that the MCO will not offset LDH recouped payments on the behavioral health provider after LDH has verified that the MCO was at fault for the error in payment.
- ❖ A requirement that behavioral health providers adopt the utilization management guidelines, and to measure compliance with the guidelines.
- ❖ The right of a provider to appeal a claims dispute in accordance with this contract (to be detailed in the MCO's Provider Manual).
- ❖ The provider shall be responsible for assisting enrollees in understanding their right to file grievances and appeals in accordance with the MCO's Provider Manual. The MCO must provide the information specified at 42 C.F.R. §438.10(g)(2)(xi).
- ❖ Compliance by the subcontractor or provider with audits, inspections and reviews in accordance with the MCO's Provider Manual, including any reviews the MCO or LDH may conduct.
- ❖ Facilitation by the provider of another provider's reasonable opportunity to deliver services, and the prohibition of any commission or condoning of any act or omission by the provider or by state employees that interferes with, delays, or hinders service delivery by another provider.
- ❖ Compliance with adverse incident reporting policy and standards approved by LDH.
- ❖ Timely implementation by the provider of LDH and MCO decisions related to grievances, member appeals, claims dispute or adverse incident mitigation recommendations.
- ❖ Compensation to individuals or entities that conduct UM activities is not structured to provide incentives for the individual or entity to deny, limit, or discontinue medically necessary services to any behavioral health member, according to 42 C.F.R. §438.12(e).
- ❖ Submission to LDH and/or the MCO as determined by LDH of the NOMs, including access to services, engagement in services, independent and stable housing, employment, and employment training rates.
- ❖ Members reaching the age of majority are provided continuity of care without service disruptions or mandatory changes in providers.
- ❖ The LDH definition of medically necessary covered behavioral health services and the LDH levels of care are incorporated by reference.
- ❖ A requirement that the providers assess the cultural and linguistic needs of the service area, and deliver services that address these needs to the extent resources are available.
- ❖ A requirement that the providers attend trainings on cultural competence. The MCO shall include a cultural competency component in each training topic.
- ❖ Language for supplying business transaction information upon request as required by 42 C.F.R. §455.105. The credentialing forms and provider agreements used by the MCO will require network providers to disclose business transactions with wholly owned suppliers or any subcontractors upon request.

The MCO shall evaluate and make a determination to retain behavioral health providers utilizing performance and QI data acquired while delivering services under this contract.

The MCO shall clearly describe and disseminate the process and criteria to be used for terminating behavioral health provider participation. If the MCO declines to subcontract with individuals or groups of behavioral health providers as part of the network, it shall give the affected providers prior written notice of the reason for its decision.

The MCO shall give written notice of termination of a subcontract provider, within fifteen (15) calendar days after receipt of issuance of the termination notice, to each behavioral health member who received his or her care from or was seen on a regular basis by the terminated provider.

## Permanent Supportive Housing Providers

Because Louisiana's Permanent Supportive Housing program is a cross-disability program, MCO contracted providers delivering PSH services must meet the following requirements prior to, and as a condition of maintaining, contracting and credentialing to provide tenancy supports for PSH program participants:

- ❖ Fulfill the orientation, training, and annual review requirements required and delivered through the LDH PSH program office;
- ❖ Be approved for participation by the LDH PSH Program Director with oversight of the LDH PSH Executive Management Committee;
- ❖ Meet all requirements necessary to maintain credentialing to provide CPST;
- ❖ Enroll to provide housing support services under the applicable 1915(c) HCBS waiver programs in FFS Medicaid and/or managed long term supports and services.

The MCO shall offer a provider agreement to all providers meeting the above requirements and approved by the LDH PSH Program Director to participate in the Louisiana PSH program. The provider agreement must meet all rate floor requirements, unless other terms are agreed to by both parties.

The MCO shall accept provider credentialing requests, review them for completeness, forward the request to the LDH PSH program for review, approval of program participation, and maintain a roster and records of qualified PSH providers.

At the request of the LDH PSH program the MCO shall assist the LDH PSH program in PSH provider certification (fidelity) reviews, including the mutual sharing of MCO audit and PSH program monitoring reports for PSH providers.

At the request of the LDH PSH program, the MCO shall assist in advertising PSH provider orientation to interested providers in each region where there is a need to expand PSH as identified by the LDH PSH program.

## PRIMARY CARE

### PCP Automatic Assignment

The MCO shall, at a minimum, determine whether the assigned enrollee has received services through the MCO within the previous year and if the enrollee has a provider-beneficiary relationship with a network PCP.

If the assigned enrollee was previously enrolled with the MCO, then the assignment shall be to the enrollee's most recent PCP if, in the MCO's reasonable judgment, such assignment is appropriate.

If the assigned enrollee was not previously enrolled with the MCO, then the MCO shall make its best efforts to seek and obtain pertinent information from the enrollee to assign the enrollee to an appropriate PCP, considering all sources of information available to the MCO, including but not limited to, information provided by LDH or its

enrollment broker. The MCO shall, based on such information that it is able to obtain in a timely manner, take into account factors that include, but are not limited to, the following:

- ❖ The enrollee's age and sex;
- ❖ Available information on the enrollee's healthcare needs, including behavioral health service needs;
- ❖ PCP training and expertise with demographic or special populations similar to the enrollee, including children in the care or custody of DCFS and homeless persons;
- ❖ Geographical proximity of PCP site(s) to the enrollee's residence;
- ❖ Whether the PCP site is accessible by public transportation;
- ❖ Whether the PCP site is accessible to people with disabilities;
- ❖ The enrollee's primary language and capabilities of the PCP to practice in that language and access to skilled medical interpreters who speak the enrollee's primary language at the PCP site; and
- ❖ Whether an immediate family member is enrolled in the MCO and has a designated PCP or a provider-beneficiary relationship that may be applicable to the enrollee.

If there is no enrollee or immediate family historical usage, enrollee shall be auto-assigned to a PCP using an algorithm developed by the MCO, based on the age and sex of the enrollee, geographic proximity, and other information on the enrollee and PCP that is available, such as language or access for persons with disabilities as noted in this section.

The MCO shall inform the enrollee of the name of the PCP to whom he or she is assigned and offer to assist the enrollee in scheduling an initial appointment with the PCP.

The MCO shall routinely and promptly inform PCPs of newly assigned enrollees and shall require PCPs to make best efforts to schedule an initial appointment with new enrollees.

The MCO shall submit to LDH for its review and prior approval a model assignment notification letter for enrollees and an assignment notice for PCPs.

## PCP Designation for Enrollees

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The MCO shall submit a roster for each PCP the individual enrollees that are designated to that PCP's panel to LDH weekly in accordance with the **MCO System Companion Guide**. The MCO shall also make the roster available to the PCP on the first day of each month via e-mail or provider portal. The roster shall include an easily identifiable indicator if the enrollee is newly enrolled in the MCO and the method by which the enrollee was assigned (i.e., via section or automatic assignment).

The provider to enrollee linkage ratio should not exceed 1:2,500 across the MCOs. LDH will notify each MCO if a provider should be capped.

The MCO shall perform a quarterly claims analysis based on the previous 12 months of claims history to review correct enrollee designation. If an enrollee has been seeing another PCP, the enrollee may be reassigned.

## Enrollee Reassignment Policy

The MCO shall establish an enrollee reassignment policy that complies with the following core elements to ensure that enrollees are assigned to the most appropriate PCP. The policy, and any revisions, shall be reviewed and approved by LDH at least 30 calendar days prior to implementation.

The following core elements shall apply to all in-network PCPs, all enrollees who have been assigned to the current PCP for at least 90 days, and enrollees who have not seen the assigned PCP within the prior 12 months.

The MCO should refer to the Contract for requirements related to the enrollee's initial assignment.

### Analysis

Claims analysis is performed on a quarterly basis and is based on the previous 12 months (at minimum) of claims history, including wellness visits and sick visits.

### Reassignment

An enrollee will only be eligible for reassignment if they have visited an unassigned PCP at least once within the previous 12 months.

- ❖ If the enrollee has seen an unassigned PCP within the same tax ID number (TIN) as the assigned PCP, the enrollee will not be reassigned.
- ❖ If an enrollee has not seen the assigned PCP and has seen multiple unassigned PCPs, the enrollee will be assigned to the PCP with the most visits.
  - If the enrollee has the same number of visits with multiple unassigned PCPs, the enrollee will be assigned to the most recently visited PCP.

Enrollees who have not seen the assigned PCP or any other PCP will not be reassigned.

If the enrollee has an established relationship, defined by at least one claim within the previous 12 months, with an unassigned PCP, the MCO will reassign that enrollee appropriately, even if the unassigned PCP's panel shows that it is closed. The enrollee-PCP relationship takes priority over a closed panel.

All reassignments shall be prospective.

### Provider Notification

MCOs must publish the results of the claims analysis to their provider portals on the 15<sup>th</sup> calendar day of the second month of each quarter. If the due date falls on a weekend or a State-recognized holiday, the results shall be published on the next business day.

The results shall identify all enrollees eligible for reassignment from the PCP along with enrollees eligible for reassignment to the PCP. Enrollees identified as eligible for reassignment to the PCP shall be shared as informational only considering this data is subject to change via the dispute protocol below.

The results of the analysis shall be published in a format that is able to be downloaded/exported into Excel. The PCP is allowed 15 business days to review before any enrollees are reassigned.

MCOs must also include a protocol for provider disputes with the results from the claim analysis. To dispute the reassignment of the enrollee(s) from the PCP, the provider must provide documentation (e.g., medical record, proof of billed claim, etc. for at least one date of service) that they have seen the enrollee(s) during the previous 12 months.

MCOs must incorporate a flag for providers to identify new enrollees on their rosters/panels easily and a flag to indicate if the enrollee was auto-assigned or not. This flag is for all enrollees, not just reassigned.

## Enrollee Notification

MCOs must incorporate the process for notifying the affected enrollees within the policy.

## LDH Notification

Within 15 calendar days after the quarter, MCOs shall report the following to LDH:

- Number of PCPs included in the analysis.
- Number of PCPs with at least one enrollee reassigned from their panel.
- Number of PCPs with at least one enrollee reassigned to their panel.
- The name of any PCP that had no changes to their panel from the reassignment analysis.

## Referral System for Specialty Health Care

The MCO shall have a referral system for MCO enrollees requiring specialty healthcare services to ensure that services can be furnished to enrollees promptly and without compromise to care. The MCO shall provide the coordination necessary for referral of MCO enrollees to specialty providers. The MCO shall assist a PCP or enrollee with getting an appointment with an the appropriate service provider. The referral system must include processes to ensure monitoring and documentation of specialty health care and out-of-network referrals, services, and follow up are included in the PCP's enrollee medical record. The MCO must assist the PCP or enrollee with making an appointment. Contact information for accessing referral system services should be clearly outlined in provider and enrollee materials.

The MCO shall submit referral system policies and procedures for review and approval within 30 calendar days from the date the Contract is signed, annually thereafter, and prior to any revisions. Referral policies and procedures shall describe referral systems and guidelines and, at a minimum, include the following elements:

- ❖ When a referral from the enrollee's PCP is and is not required;
- ❖ Process for enrollee referral to an out-of-network provider when there is no provider within the MCO's provider network who has the appropriate training or expertise to meet the particular health needs of the enrollee;
- ❖ Process for providing a standing referral when an enrollee with a condition requires on-going care from a specialist;
- ❖ Process for assisting PCPs find specialists when their attempts have been unsuccessful. This process shall include a form that can be faxed or securely e-mailed to the MCO, with a 72 hour turnaround to the provider;

- ❖ Process for referral for specialty care for an enrollee with a life-threatening condition or disease who requires specialized medical care over a prolonged period of time
- ❖ Policy that prohibits providers from making referrals for designated health services to healthcare entities with which the provider or an enrollee of the provider's family has a financial relationship; and
- ❖ Processes to ensure monitoring and documentation of specialty healthcare services and follow up are included in the PCP's enrollee medical record.

There must be written evidence of the communication of the patient results/information to the referring physician by the specialty healthcare provider or continued communication of patient information between the specialty healthcare provider and the primary care provider; and

Process for referral of enrollees for State Plan services that are excluded from MCO covered services and that will continue to be provided through fee-for-service Medicaid.

The MCO shall develop electronic, web-based referral processes and systems.

## ACCESS TO MEDICATION ASSISTED TREATMENT

The MCO shall refer to the *Reporting* section of this Manual for required MAT reporting.

## SPECIALIZED BEHAVIORAL HEALTH PROVIDERS

The MCO shall ensure its provider network offers a range of basic and specialized behavioral health services as reflected herein and meets the network adequacy standards defined in this Contract. In addition, the MCO shall develop, maintain, and monitor the provider network to ensure availability and accessibility of covered services to specialized populations (e.g., pregnant women with mental health or substance use disorder needs and adolescents with co-morbid behavioral health and intellectual disability needs). The provider network shall be adequate for the anticipated number of enrollees for the service area.

## INTEGRATION OF PRIMARY CARE AND BEHAVIORAL HEALTH SERVICES

In recognizing that at least 70% of behavioral health can be and is treated in the primary care setting, the MCO shall be responsible for the management and provision of all basic behavioral health services including but not limited to those with mild or moderate depression, ADHD, and generalized anxiety, that can be appropriately screened, diagnosed or treated in a primary care setting.

The MCO's support shall include but not be limited to assistance to primary care providers in aligning their practices with best practice standards, such as those developed by the American Academy of Pediatrics, for the assessment, diagnosis, and treatment of ADHD, such as increasing the accuracy of ADHD diagnosis, increasing screening for other behavioral health concerns, and increasing the use of behavioral therapy as first-line treatment for children under age 6.

## SERVICES FOR CO-OCCURRING BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES

The MCO shall create a framework for delivery of services, staff development, and policies and procedures for providing effective care for enrollees with co-occurring developmental disabilities. This population should have the same reasonable access to behavioral health services as someone without a co-occurring developmental disability. If an enrollee qualifies for services through the Office for Citizens with Developmental Disabilities (OCDD), the MCO shall coordinate with Local Governing Entities, Support Coordination Agencies, Office of Public Health Title V Children and Special Health Care Needs for those who are under 21, and/or OCDD concerning the care of the enrollee. A statement of approval from OCDD shall not preclude services from the MCO.

## NETWORK DEVELOPMENT AND MANAGEMENT PLAN

The MCO shall submit its comprehensive Network Development and Management Plan in accordance with this Manual during readiness reviews, as amended, and as requested by LDH.

The MCO shall develop and implement specific strategies to promote the integration of physical and behavioral health service delivery and care integration activities and establish policies and procedures to facilitate integration. Specifically, the MCO shall:

- ❖ Support PCPs who screen enrollees for behavioral health issues and treat mild to moderate cases, including educating and training practices on how to treat common behavioral health conditions and providing clinical consultations and guidance for issues that do not require specialty referrals;
- ❖ Encourage and support providers to co-locate primary care and behavioral health services, whether the co-located service is in a primary care or behavioral health setting;
- ❖ The MCO shall provide incentives to clinics to employ Licensed Mental Health Professionals (LMHP) in primary care settings to monitor the behavioral health of patients and to behavioral health clinics to employ a primary care provider (physician, physician's assistant, nurse practitioner, or nurse) part- or full-time in a psychiatric specialty setting to monitor the physical health of patients;
- ❖ Allow providers to bill for both primary care and behavioral health services on the same day;
- ❖ Develop, in coordination with LDH and other MCOs, a system to provide psychiatric prescribing support to primary care providers. Such support may be provided through consultation with psychiatrists regarding psychiatric prescribing practices;
- ❖ The MCO shall endorse real time consultation of primary care providers with behavioral health professionals or psychiatrists for behavioral health issues or consultations on medications;
- ❖ Distribute Release of Information forms as per 42 C.F.R. §431.306, and provide training to providers on its use;
- ❖ Share necessary and integrated data with its network providers to promote clinical integration of physical and behavioral health; and
- ❖ Offer provider trainings on integrated care including but not limited to appropriate utilization of basic behavioral health screens in the primary care setting and basic physical health screenings in the behavioral health setting.

The MCO shall work to integrate physical and behavioral health services through:

- ❖ Enhanced detection and treatment of behavioral health disorders in primary care settings;
- ❖ Coordination of care for enrollees with both medical and behavioral health disorders, including promotion of care transition between inpatient services and outpatient care for enrollees with co-existing medical-behavioral health disorders;
- ❖ Assisting enrollees without a diagnosed behavioral health disorder, who would benefit from psychosocial guidance in adapting to a newly diagnosed chronic medical disorder;
- ❖ Utilization of approved communication and consultation by PCPs with behavioral health providers of co-enrolled enrollees with co-existing medical and behavioral health disorders requiring co-management;
- ❖ Have enhanced rates or incentives to behavioral health clinics to employ a primary care provider (physician, physician's assistant, nurse practitioner, or nurse) part- or full-time in a psychiatric specialty setting to monitor the physical health of patients;
- ❖ Have enhanced rates or incentives for integrated care by providers;
- ❖ Distributing Release of Information forms as per 42 C.F.R. §431.306, and provide training to MCO providers on its use;
- ❖ Educating MCO enrollees and providers regarding appropriate utilization of emergency room (ER) services, including referral to community behavioral health specialists for behavioral health emergencies, as appropriate;
- ❖ Identifying those who use emergency department (ED) services to assist in scheduling follow-up care with PCP and/or appropriate contracted behavioral health specialists;
- ❖ Ensuring continuity and coordination of care for enrollees who have been screened positive or determined as having need of specialized medical health services or who may require inpatient/outpatient medical health services. These activities must include referral and follow-up for enrollee(s) requiring behavioral health services;
- ❖ Documenting authorized referrals in the MCO's clinical management system;
- ❖ Providing or arranging for training of MCO providers and Care Managers on identification and screening of behavioral health conditions and referral procedures;
- ❖ Conducting Case management rounds at least monthly with the Behavioral Health Case management team; and
- ❖ Participating in regular collaborative meetings at least yearly or as needed, with LDH representatives for the purpose of coordination and communication.

The MCO shall provide guidelines, education and training, and consultation to PCPs to support the provision of basic behavioral health services in the primary care setting.

The MCO shall ensure network providers utilize behavioral health screening tools and protocols consistent with industry standards. The MCO shall work to increase screening in primary care using validated screening instruments for developmental, behavioral, and social-emotional delays, as well as screening for child maltreatment risk factors, trauma, adverse childhood experiences (ACEs) and substance use. The MCO may provide technical assistance to providers, incentives, or other means to increase screening for behavioral health needs in primary care.

The MCO shall work to increase provider utilization of consensus guidelines and pathways for warm handoffs and/or referrals to behavioral health providers for children who screen positive for developmental, behavioral, and social delays, as well as child maltreatment risk factors, trauma, adverse childhood experiences (ACEs), and substance use. The MCO shall work to increase the percentage of children with positive screens who 1) receive a

warm handoff to and/or are referred for more specialized assessment(s) or treatment and 2) receive specialized assessment or treatment.

For specialized behavioral health services, the MCO shall submit an initial SBHS Network Development and Management Plan focusing on specialized behavioral health providers using an LDH provided template. This initial plan shall be submitted as a part of the readiness review. Thereafter, the SBHS Network Development and Management Plan shall be updated at least annually, or more often as needed to reflect material changes in network status or as requested by LDH. Subsequent submissions of the SBHS Network Development and Management Plan shall be submitted utilizing the LDH provided template and include an evaluation of the initial Network Development and Management Plan in each subsequent year, inclusive of an evaluation of the success of proposed interventions, barriers to implementation, and any needed revisions pertaining to the delivery of specialized behavioral health care.

## MATERIAL CHANGE TO PROVIDER NETWORK

The MCO shall submit required information on material changes to its provider network in accordance with this Manual, the Contract, and in the time period specified by LDH.

The MCO's request must include a description of any short-term gaps identified as a result of the change and the alternatives that will be used to fill them, including:

- ❖ Detailed information identifying the affected provider(s);
- ❖ Demographic information and number of enrollee currently served and impacted by the event or material change, including the number of Medicaid enrollees affected by program category;
- ❖ Location and identification of nearest providers accepting new Medicaid patients offering similar services; and
- ❖ For enrollees with special health care needs, a plan for clinical team meetings with the enrollee, his/her family/caregiver, and other persons requested by the enrollee and/or legal guardian to discuss available options and revise the service plan to address any changes in services or service providers.

If a provider loss results in a network deficiency, the MCO shall submit to LDH for approval a written plan with time frames and action steps for correcting the deficiency within 30 calendar days that includes the transitioning of enrollee to appropriate alternative providers in accordance with the network notification requirements and a draft notification to impacted enrollees.

The MCO shall track all enrollees transitioned due to a provider or material subcontractor's suspension, limitation, termination, or material change to ensure covered service continuity and provide enrollee information as requested by LDH (e.g., name, Title XIX or Title XXI status, date of birth, services enrollee is receiving or will be receiving, name of new provider, date of first appointment, and activities to re-engage persons who miss their first appointment with the new provider).

A material change in the MCO's provider network requires 30 days advance written notice to affected enrollees. For emergency situations, LDH shall expedite the approval process.

The MCO shall notify LDH within one business day of the MCO becoming aware of any unexpected changes (e.g., a provider becoming unable to care for enrollee due to provider illness, a provider death, the provider moves from

the service area and fails to notify the MCO, or when a provider fails credentialing or is displaced as a result of a natural or man-made disaster) that would impair its provider network. The notification shall include:

- ❖ Information about how the provider network change will affect the delivery of covered services, and
- ❖ The MCO's plan for maintaining the quality of enrollee care, if the provider network change is likely to affect the delivery of covered services.

The MCO shall give ninety (90) days' notice prior to a contract termination without cause.

As it pertains to a material change in the network for behavioral health providers, the MCO shall also provide written notice to LDH, no later than seven business days of any behavioral health network provider contract termination that materially impacts the MCO's provider network, whether terminated by the MCO or the provider, and such notice shall include the reason(s) for the proposed action. Material changes in addition to those noted in this section include:

- ❖ A decrease in a behavioral health provider type by more than 5%;
- ❖ A loss of any participating behavioral health specialist which may impair or deny the enrollee's adequate access to providers; or
- ❖ A loss of a hospital or residential treatment in an area where another provider of equal service ability is not available as required by access standards approved by LDH.

## PHARMACY NETWORK, ACCESS STANDARDS, AND REIMBURSEMENT

### Pharmacy Claims Dispute Management

The MCO shall maintain an internal claims dispute process to permit local pharmacies to dispute the reimbursement paid for any claim made for the dispensing of a drug. Reimbursement should be no less than the FFS rate on the date of service as required by R.S. 46:460.36(D). Ingredient cost rates should be updated within three business days of new rates being posted from the source of choice. The MCO shall be penalized \$1,000 per calendar day for each rate that is not updated within the three business day timeframe.

A local pharmacy is defined as any pharmacy domiciled in at least one Louisiana parish that: contracts directly with the MCO or the MCO's contractor in its own name or through a Pharmacy Services Administrative Organization (PSAO) and not under the authority of a group purchasing organization; and has fewer than ten retail outlets under the pharmacy's corporate umbrella.

The MCO shall permit pharmacies to submit claim disputes directly to the MCO or through a PSAO at the pharmacy's option.

The MCO may require pharmacies to submit claim disputes within a predetermined time limit. Such limit shall be no less than seven business days after the latter of the fill date or the resolution date of any pending National Average Drug Acquisition Cost (NADAC) rate update request.

The MCO shall provide written notification of the outcome of the internal claims dispute process to the pharmacy within seven business days of the date that the dispute was received by the MCO.

## Specialty Drugs and Specialty Pharmacies

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LDH recognizes the importance of providing adequate access to specialty drugs to Medicaid enrollees while ensuring proper management of handling and utilization. The MCO shall comply with the specialty drug and specialty pharmacy requirements specified herein and the Contract.

LDH recognizes the importance of providing adequate access to specialty drugs to Medicaid enrollees while ensuring proper management of handling and utilization.

The MCO shall not limit distribution of specialty drugs or self-refer to a MCO or PBM-owned specialty pharmacy. Any qualified pharmacy that is able to procure specialty drugs from distributors, has any one of the nationally recognized accreditations and is willing to accept the terms of the MCO's contract shall be allowed to participate in the MCO/PBM's network (any willing provider). LDH reserves the right to deny specialty pharmacy contracts that include what LDH deems to be overly burdensome terms or requirements, including but not limited to requirements for excessive insurance coverage, unreasonable stocking requirements, or restrictive or duplicative accreditation requirements. The MCO shall accept any one of the nationally recognized accreditation programs to meet its specialty pharmacy network requirement.

The MCO specialty pharmacy network shall be approved by LDH prior to MCO reimbursement for specialty drugs. MCO encounters may be denied until LDH has approved. Any subsequent addition or deletion to the specialty pharmacy network shall be approved by LDH prior to implementation.

### Specialty Drug Criteria

A specialty drug is defined as a prescription drug which meets one the following criteria:

- ❖ The drug is not routinely dispensed at a majority of retail community pharmacies due to physical or administrative requirements that limit preparation and/or delivery in the retail community pharmacy environment. Such drugs may include but are not limited to chemotherapy, radiation drugs, intravenous therapy drugs, biologic prescription drugs approved for use by the federal Food and Drug Administration, and/or drugs that require physical facilities not typically found in a retail community pharmacy, such as a ventilation hood for preparation;
- ❖ The drug is used to treat complex, chronic, or rare medical conditions:
  - That can be progressive; or
  - That can be debilitating or fatal if left untreated or undertreated; or
  - For which there is no known cure.
- ❖ The drug requires special handling, storage, and/or has distribution and/or inventory limitations;
- ❖ The drug has a complex dosing regimen or requires specialized administration;
- ❖ Any drug that is considered to have limited distribution by the federal Food and Drug Administration;
- ❖ The drug requires:
  - Complex and extended patient education or counseling; or
  - Intensive monitoring; or
  - Clinical oversight; and
  - The drug has significant side effects and/or risk profile.

The following categories of drugs shall not be considered specialty drugs:

- ❖ Any oral medications utilized to treat HIV, Hepatitis B or Hepatitis C;
- ❖ Any oral medications utilized to treat rheumatoid arthritis, multiple sclerosis or psoriasis (e.g., Aubagio, Gilenya, Otezla, Xeljanz/Xeljanz XR, etc.);
- ❖ Any oral medications utilized to treat epilepsy or an immunosuppressant (e.g., Mycophenolate, Sirolimus, Tacrolimus, etc.);
- ❖ Self-administered injectable anticoagulants (e.g., Enoxaparin, Fondaparinux, Dalteparin, Unfractionated heparin, etc.);
- ❖ Self-administered injectable human growth hormone (excluding drop-ship items) or self-administered medications for migraine prophylaxis (e.g., Aimovig, Ajovy, Emgality); and
- ❖ Self-administered TNF-alpha blockers (e.g., Enbrel, Humira, Simponi, Cimzia), multiple sclerosis agents (e.g., Copaxone, Interferons, etc.) or psoriatic conditions (e.g., Cosentyx).

## Access to Specialty Drugs

No entity shall establish definitions, or require accreditation or licensure, effectively limiting access to prescription drugs, including specialty drugs, other than the appropriate governmental or regulatory bodies.

## Internal Claims Dispute Process

The MCO shall maintain an internal claims dispute process to permit local pharmacies to dispute the reimbursement paid for any claim made for the dispensing of a drug.

A local pharmacy is defined as any pharmacy domiciled in at least one Louisiana parish that: contracts directly with the MCO or the MCO's contractor in its own name or through a Pharmacy Services Administrative Organization (PSAO) and not under the authority of a group purchasing organization; and has fewer than ten retail outlets under the pharmacy's corporate umbrella.

The MCO shall permit pharmacies to submit claim disputes directly to the MCO or through a PSAO at the pharmacy's option

The MCO may require pharmacies to submit claim disputes within a predetermined time limit. Such limit shall be no less than seven business days after the latter of the fill date or the resolution date of any pending NADAC rate update request.

The MCO shall provide written notification of the outcome of the internal claims dispute process to the pharmacy within seven business days of the date that the dispute was received by the MCO.

No entity shall establish definitions, or require accreditation or licensure, effectively limiting access to prescription drugs, including specialty drugs, other than the appropriate governmental or regulatory bodies.

## PART 10: PROVIDER SERVICES

The MCO must engage with its network providers to enhance service delivery, improve provider and enrollee satisfaction, promote data sharing and value-based payment strategies, and enable regular provider participation in clinical policy development and provider operations. This section provides additional information on ways in which the MCO interacts and supports its providers to ensure that providers receive timely reimbursement and appropriate support over the course of the Contract.

### PROVIDER DIRECTORY

The MCO shall maintain a complete and accurate provider directory of PCPs, behavioral health providers, hospitals, specialists, sub-specialists, pharmacies, and ancillary service providers.

See additional requirements in the **MCO System Companion Guide**.

### PROVIDER WEBSITE

The MCO provider website shall include general and up-to-date information about the MCO as it relates to the Louisiana Medicaid program. This shall include, but is not limited to:

- ❖ MCO provider manual;
- ❖ MCO-relevant LDH bulletins;
- ❖ Limitations on provider marketing;
- ❖ Information on upcoming provider trainings;
- ❖ A copy of the provider training manual;
- ❖ Information on the provider complaint/dispute system;
- ❖ Information on obtaining prior authorization and referrals;
- ❖ Enrollee scope of coverage;
- ❖ Information on how to contact the MCO Provider Relations;
- ❖ Information on the reporting of fraud, waste, and abuse; and
- ❖ General up-to-date information about all behavioral health programs and services. This shall include, but is not limited to a link to the LDH Behavioral Health Services Provider Manual and any updates for behavioral health service providers and subcontractors.

### PROVIDER HANDBOOK

At a minimum, the provider handbook shall include the following information:

- ❖ Description of the Medicaid managed care program and the MCO;
- ❖ A description of all MCO Covered Services outlined in Attachment A, *MCO Covered Services*, of the Contract and in the *MCO Covered Services* section of this Manual;
- ❖ A description of all behavioral health services;
- ❖ Enrollee rights and responsibilities (42 C.F.R. 438.100)
- ❖ Emergency service responsibilities;

- ❖ Medical necessity standards as defined by LDH and practice guidelines;
- ❖ Description of where to obtain service-specific coverage requirements and medical necessity criteria;
- ❖ Description of how to obtain prior authorization and description of referral procedures, including required forms;
- ❖ Enrollee record standards for providers;
- ❖ Description of where to obtain claims submission protocols and standard including instructions and all information required for a clean or complete claim;
- ❖ Protocols for submitting claims data;
- ❖ Requirements regarding marketing activities and marketing prohibitions;
- ❖ Requirements regarding background screening for providers;
- ❖ Requirements regarding the provider enrollment, credentialing and re-credentialing processes;
- ❖ Policies and procedures that cover the provider complaint system. This information shall include, but not be limited to: a) specific instructions regarding how to contact the MCO to file a provider complaint, including complaints about claims issues, and b) the complaint review process, including the timeframes allowed for resolving claims payment issues, and the process a provider would take to escalate unresolved issues;
- ❖ Information about the MCO's Enrollee Grievance and Appeal System, that with written permission from the enrollee, the provider may file a grievance or appeal on behalf of the enrollee, the required procedural steps, time frames and requirements, the availability of assistance in filing, the toll-free telephone numbers, address and office hours of the grievance staff, the enrollee's right to request continuation of services while utilizing the MCO's grievance and appeal system in accordance with 42 C.F.R. 438.414, and any additional information specified in 42 C.F.R. §438.10(g)( 2) (xi);
- ❖ Practice protocols, including guidelines pertaining to the treatment of chronic and complex conditions;
- ❖ PCP responsibilities;
- ❖ Other provider responsibilities under this Contract and as part of the provider's agreement with the MCO;
- ❖ Prior authorization and referral procedures;
- ❖ Standards for record keeping;
- ❖ Claims submission protocols and standards, including instructions and all information necessary for a clean and complete claim and samples of clean and complete claims;
- ❖ MCO prompt pay requirements (see Attachment G, *Table of Monetary Penalties*);
- ❖ The MCO's care management program;
- ❖ Quality performance requirements;
- ❖ Provider rights and responsibilities;
- ❖ Service authorization criteria to make medical necessity determinations;
- ❖ Information on reporting suspicion of provider or enrollee fraud, waste or abuse; and
- ❖ Information on obtaining Medicaid transportation services for enrollees.

## SPECIALIZED BEHAVIORAL HEALTH PROVIDER TRAINING REQUIREMENTS

All specialized behavioral health services training will be documented with agendas, written training materials, invited attendees, and sign-in sheets (including documentation of absent attendees). Training to be provided will include but not be limited to:

- ❖ Cultural competency, including tribal awareness, for a minimum of three hours per year and as directed by the needs assessment;
- ❖ Health equity;
- ❖ Specialized behavioral health services program requirements, rules, and regulations including but not limited to staff qualifications and requirements, approved training curricula, approved provider types and specialties, service definitions, clinical components, service limitations and exclusions, assessment, treatment planning and medical record requirements, quality management documentation;
- ❖ Adverse incident management and reporting requirements;
- ❖ Evidence-based practices, promising practices, emerging best practices;
- ❖ Billing options and requirements and documentation requirements;
- ❖ Utilizing the LOCUS assessment tool for specialized behavioral health providers;
- ❖ Integrating physical and behavioral health;
- ❖ Assessing and treating individuals with co-occurring I/DD;
- ❖ Use of MCO systems and website; and
- ❖ Additional topics as determined through provider/enrollee surveys and/or as directed by LDH.

## PROVIDER ISSUE RESOLUTION

The MCO shall provide options to providers for pursuing resolution of issues. Providers should first seek resolution with the MCO directly prior to engaging LDH or other third parties, except when the MCO has demonstrated a pattern of the same issue reoccurring.

### Claim Reconsideration, Appeal, and Arbitration

The MCO shall maintain, in accordance with Informational Bulletin 19-3 or as otherwise approved by LDH, claim dispute procedures for providers who wish to file formal claim reconsideration requests and claim appeals. Procedures should include submission instructions and timelines.

In any instance where a provider claim is denied, the consent of the enrollee who received services shall not be required in order for the provider to dispute the denial of the claim. The provider may pursue a claim dispute on the basis of nonpayment for rendered services under the terms and conditions outlined in their provider contract with the MCO or as otherwise provided by Louisiana law. The enrollee who received the services shall not be required to sign an authorized representative form, or provide other forms of written consent, for the provider to dispute the denied claim for payment. For each denied claim, providers must be notified of the amount and reason for the denial.

In any case where a provider is required to obtain a service authorization on a concurrent or post-service basis, the consent of the enrollee who received the service shall not be required in order for the provider to dispute the denied authorization for service.

Providers who have completed the MCO dispute process and remain dissatisfied with the MCO's determination may submit a written request for arbitration. The request should include decisions from all claim reconsideration requests and claim appeals.

Providers may escalate claim disputes to LDH via e-mail at [ProviderRelations@la.gov](mailto:ProviderRelations@la.gov).

NOTE: Per La. R.S. 46:460.81, an adverse determination involved in litigation or arbitration or not associated with a Medicaid enrollee shall not be eligible for independent review.

## Independent Review

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Independent review is another option for resolution of claim disputes. The Independent Review process may be initiated after claim denial.

NOTE: Per La. R.S. 46:460.81, an adverse determination involved in litigation or arbitration or not associated with a Medicaid enrollee shall not be eligible for independent review.

- ❖ The Independent Review process was established by La. R.S. 46:460.81, *et seq.* to resolve claims disputes when a provider believes an MCO has partially or totally denied claims incorrectly. An MCO's failure to send a provider a remittance advice or other written or electronic notice either partially or totally denying a claim within 60 days of the MCO's receipt of the claim is considered a claims denial.
- ❖ Independent Review is a two-step process which may be initiated by submitting an Independent Review Reconsideration Request Form to the MCO within 180 calendar days of the Remittance Advice paid, denial, or recoupment date.
- ❖ If a provider remains dissatisfied with the outcome of an Independent Review Reconsideration Request, the provider may submit an Independent Review Request Form to LDH within 60 calendar days of the MCO's decision.
- ❖ There is a \$750 fee associated with an independent review request. If the independent reviewer decides in favor of the provider, the MCO is responsible for paying the fee. Conversely, if the independent reviewer finds in favor of the MCO, the provider is responsible for paying the fee.
- ❖ SIU post-payment reviews are not considered claims denials or underpayment disputes, therefore, SIU findings are exempt from the Independent Review Process.
- ❖ Additional detailed information and copies of above referenced forms are available on the LDH website [\[link\]](#).

## Provider Issue Escalation and Resolution

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A provider may desire to escalate an issue to the attention of the MCO's executive team. This may apply to claim or non-claim related issues.

The MCO is required to maintain a Provider Complaint System for in-network and out-of-network providers to dispute the MCO's policies, procedures, or administrative functions. This system should include contacts for filing a formal complaint and then for escalating to management and executive levels. Providers should first seek resolution with the MCO, using these contacts. If a provider is unable to reach satisfactory resolution or get a timely response through the MCO escalation process, direct contact with LDH via [ProviderRelations@la.gov](mailto:ProviderRelations@la.gov) is also an option.

If the MCO, LDH, or its subcontractors discover errors made by the MCO when a claim was adjudicated, the MCO shall make corrections and reprocess the claim within 30 calendar days of discovery, or if circumstances exist that prevent the MCO from meeting this time frame, a specified date shall be approved by LDH. The MCO shall automatically recycle all impacted claims for all providers and shall not require the provider to resubmit the impacted claims.

# ENROLLEE REASSIGNMENT POLICY

The MCO shall have an enrollee reassignment policy that complies with the following core elements to ensure that enrollees are assigned to the most appropriate PCP. The policy, and any revisions, shall be reviewed and approved by LDH at least 30 calendar days prior to implementation.

The following core elements shall apply to all in-network PCPs, all enrollees who have been assigned to the current PCP for at least 90 days, and enrollees who have not seen the assigned PCP within the prior 12 months.

## Analysis

The MCO shall perform claims analysis on a quarterly basis and based on the previous 12 months (at minimum) of claims history, including wellness visits and sick visits.

## Reassignment

An enrollee will only be eligible for reassignment if they have visited an unassigned PCP at least once within the previous 12 months.

- ❖ If the enrollee has seen an unassigned PCP within the same tax ID number (TIN) as the assigned PCP, the enrollee will not be reassigned.
- ❖ If an enrollee has not seen the assigned PCP and has seen multiple unassigned PCPs, the enrollee will be assigned to the PCP with the most visits.
  - If the enrollee has the same number of visits with multiple unassigned PCPs, the enrollee will be assigned to the most recently visited PCP.

Enrollees who have not seen the assigned PCP or any other PCP will not be reassigned.

If the enrollee has an established relationship, defined by at least one claim within the previous 12 months, with an unassigned PCP, the MCO will reassign that enrollee appropriately, even if the unassigned PCP's panel shows that it is closed. The enrollee-PCP relationship takes priority over a closed panel.

All reassignments shall be prospective.

## Provider Notification

MCOs must provide formal notification (via e-mail/portal) to the PCP regarding results of the claim analysis and the notification shall be a set date each month. The PCP is allowed 15 business days to review before any enrollees are reassigned.

MCOs must also include a protocol for provider disputes with the results from the claim analysis. The provider must provide documentation (e.g., medical record, proof of billed claim, etc. for at least one date of service) that they have seen the enrollee(s) during the previous 12 months.

MCOs must incorporate a flag for providers to identify new enrollees on their rosters/panels easily and a flag to indicate if the enrollee was auto-assigned or not. This flag is for all enrollees, not just reassigned enrollees.

## Enrollee Notification

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MCOs must incorporate the process for notifying the affected enrollees within the policy.

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# PART 11: ENROLLEE SERVICES

This section provides information related to services provided by the MCO to its enrollees. Additional information may be found in the **Marketing and Member Education Companion Guide**.

## AUTHORIZED REPRESENTATIVES OR LEGAL REPRESENTATIVES

Medicaid enrollees may appoint an authorized representative (AR) to accompany, assist, and represent them in matters related to their Medicaid coverage. In addition, parents are generally authorized to speak on their minor child's behalf regarding the child's Medicaid without an executed AR form, as long as the parent has been verified to hold such parental authority. Also, an enrollee may have a legal representative who is designated by operation of law or by the action of a court. For example, an unemancipated minor child will have someone with parental authority to act on his or her behalf; usually it will be the parent(s), although in some cases it may be another person (e.g., legal guardian/curator) or entity who has been appointed by a court (e.g., DCFS when it has legal custody of a child in foster care).

The case record maintained by LDH is the definitive source of the identity of an enrollee's AR or legal representative. The MCO may contact LDH to obtain verification of who is authorized to speak and act on behalf of the enrollee.

If the MCO needs assistance determining whether a caller is an AR for an enrollee, the MCO should contact the Medicaid Customer Service Unit (CSU) for a verbal verification. The MCO may conduct the verification through a three-way call with the AR if preferred. MCOs may call the CSU hotline at 888-342-6207 from 8:00 a.m. to 4:30 p.m. to reach an LDH representative.

The MCO should accept this verification as the source of truth in confirming or denying who is authorized to speak on behalf of the enrollee. The MCO should not require any additional documents from Medicaid or the enrollee.

In some cases, an MCO may learn of an actual or potential change in an enrollee's AR or legal representative before Medicaid does. If that happens, the MCO should be proactive in educating the enrollee/caller to report changes to Louisiana Medicaid within 10 days and provide direction on contacting Louisiana Medicaid for assistance.

Nothing in this guidance should be interpreted as creating a barrier to access to treatment for enrollees who are unable to speak for themselves. If a minor child is brought to a network provider by an adult who does not have verified parental authority or an AR designation in the child's record, a reasonable effort should be made to contact the AR, or the person with verified parental authority over the minor child, to obtain the appropriate consent for treatment; however, even if that attempt is unsuccessful, it is still legally possible for the provider to furnish necessary treatment to the child, particularly in emergency situations.

This guidance does not affect the ability of a duly designated AR to sign an authorization permitting the disclosure of an enrollee's protected health information to a third person. Medicaid does not seek to dictate the precise authorization forms to be used by MCOs and their providers, other than to require that they be HIPAA compliant. Generally, Medicaid will honor any valid, HIPAA compliant authorization that permits it to disclose the requested

information, but will no longer honor the HIPAA authorization when the person who signed it ceases to be the enrollee's AR or is otherwise unauthorized to speak and act on behalf of the enrollee. The MCO should follow the same policy.

A disclosure authorization of the type discussed in the preceding paragraph is not the same thing as a written consent for a provider to file a grievance or appeal or to request a state fair hearing on behalf of an enrollee. If an enrollee, an enrollee's AR, or an enrollee's verified legal representative wishes to permit a provider to take such action on the enrollee's behalf, a disclosure authorization by itself will not be sufficient for that purpose.

## ENROLLEE RIGHTS AND RESPONSIBILITIES

Each enrollee is guaranteed the following rights:

- ❖ To be treated with respect and with due consideration for his or her dignity and privacy.
- ❖ To participate in decisions regarding his or her health care, including the right to refuse treatment.
- ❖ To be free from any form of restraint or seclusion used as a means of coercion, discipline, convenience or retaliation, as specified in the federal regulations on the use of restraints and seclusion.
- ❖ To be able to request and receive a copy of his or her medical records (one copy free of charge) and request that they be amended or corrected.
- ❖ To receive healthcare services that are accessible, are comparable in amount, duration and scope to those provided under Medicaid FFS and are sufficient in amount, duration and scope to reasonably be expected to achieve the purpose for which the services are furnished.
- ❖ To receive services that are appropriate and are not denied or reduced solely because of diagnosis, type of illness, or medical condition. To receive all information (e.g., enrollment notices, informational materials, instructional materials, available treatment options and alternatives) in a manner and format that may be easily understood as defined in the Contract between LDH and the MCO.
- ❖ To receive assistance from both LDH and the enrollment broker in understanding the requirements and benefits of the MCO.
- ❖ To receive oral interpretation services free of charge for all non-English languages, not just those identified as prevalent.
- ❖ To be notified that oral interpretation is available and how to access those services.
- ❖ To receive information on the MCO's services, to include, but not limited to:
  - Benefits covered;
  - Procedures for obtaining benefits, including any authorization requirements;
  - Any cost sharing requirements;
  - Service area;
  - Names, locations, telephone numbers of and non-English language spoken by current contracted providers, including at a minimum, primary care dentist, specialists, and hospitals ;
  - Any restrictions on enrollee's freedom of choice among network providers;
  - Providers not accepting new patients; and
  - Benefits not offered by the MCO but available to enrollees and how to obtain those benefits, including how transportation is provided.
- ❖ To receive a complete description of disenrollment rights at least annually.
- ❖ To receive notice of any significant changes in core benefits and services at least 30 days before the intended effective date of the change.

- ❖ To receive information on grievance, appeal, and state fair hearing procedures.
- ❖ To receive detailed information on emergency and after-hours coverage, to include, but not limited to:
  - What constitutes an emergency medical condition, emergency services, and post-stabilization services;
  - That emergency services do not require prior authorization;
  - The process and procedures for obtaining emergency services;
  - The locations of any emergency settings and other locations at which providers and hospitals furnish emergency services and post-stabilization services covered under the Contract;
  - Enrollee's right to use any hospital or other setting for emergency care; and
  - Post-stabilization care services rules as detailed in 42 C.F.R. §422.113(c).
- ❖ To receive the MCO's policy on referrals for specialty care and other benefits not provided by the enrollee's PCP.
- ❖ To have his or her privacy protected in accordance with the privacy requirements in 45 C.F.R. Part 160 and Part 164, Subparts A and E, to the extent that they are applicable.
- ❖ To exercise these rights without adversely affecting the way the MCO, its providers or LDH treat the enrollee.

## GRIEVANCES, APPEALS, AND STATE FAIR HEARINGS

### Continuation of Benefits

An enrollee is only entitled to a continuation of benefits pending resolution of an appeal or state fair hearing when a previously authorized benefit is terminated, suspended, or reduced prior to the expiration of the current service authorization.

Expiration of an approved number of visits does not constitute a termination for purposes of notice and continuation of benefits. The cessation of services because the authorization expired is not cause for a continuation of benefits, since the enrollee had no right to expect the services to continue beyond the "previously authorized" quantity, period, or duration.

When a prescription, including refills, runs out and the enrollee requests another prescription, this is a new request, not a termination of benefits. In these circumstances, the MCO is not required to send a notice or continue benefits pending the outcome of an appeal or state fair hearing. If the enrollee requests a reauthorization that the MCO denied, the MCO shall treat this request as a new request for service authorization and provide notice of the denial or limitation.

## MEDICAL RECORDS

The MCO shall ensure the medical record is:

- ❖ Accurate and legible;
- ❖ Safeguarded against loss, destruction, or unauthorized use and is maintained, in an organized fashion, for all enrollees evaluated or treated, and is accessible for review and audit; and

- ❖ Readily available for review and provides medical and other clinical data required for Quality and Utilization Management review.

The MCO shall ensure the medical record includes, minimally, the following:

- ❖ Enrollee identifying information, including name, identification number, date of birth, sex and legal guardianship (if applicable);
- ❖ Primary language spoken by the enrollee and any translation needs;
- ❖ Services provided, date of service, service site, and name of service provider;
- ❖ Medical history, diagnoses, treatment prescribed, therapy prescribed and drugs administered or dispensed, beginning with, at a minimum, the first enrollee visit with or by the MCO;
- ❖ Referrals including follow-up and outcome of referrals;
- ❖ Documentation of emergency and/or after-hours encounters and follow-up;
- ❖ Signed and dated consent forms (as applicable);
- ❖ Documentation of immunization status;
- ❖ Documentation of advance directives, as appropriate;
- ❖ Documentation of each visit must include;
- ❖ Date and begin and end times of service;
- ❖ Chief complaint or purpose of the visit;
- ❖ Diagnoses or medical impression;
- ❖ Objective findings;
- ❖ Patient assessment findings;
- ❖ Studies ordered and results of those studies;
- ❖ Medications prescribed;
- ❖ Health education provided;
- ❖ Name and credentials of the provider rendering services (e.g. MD, DO, OD) and the signature or initials of the provider; and
- ❖ Initials of providers must be identified with correlating signatures.

## RETURNED MAIL PROCEDURES

When the MCO receives returned enrollee-related mail, the MCO should first identify whether a forwarding address has been received.

If a forwarding address is received, the MCO shall:

- ❖ For out-of-state addresses, follow procedures in place for reporting an enrollee disenrollment request to the enrollment broker.
- ❖ For in-state addresses, attempt to contact (including, but not limited to, by phone, mail, e-mail, text) the enrollee to verify that the newly received address is correct.

If no forwarding address is received, the MCO shall attempt to contact the enrollee as described above.

## PART 12: MARKETING AND EDUCATION

Marketing is defined as communication from an MCO to a Medicaid beneficiary who is not enrolled in that MCO that can be reasonably be interpreted to influence the beneficiary to: 1) enroll in that MCO, or 2) either not enroll in, or disenroll from, another MCO.

Enrollee education is communication with an MCO's enrollee for the purpose of retaining enrollment and improving the health status of enrollees.

### EVENTS AND ACTIVITIES APPROVAL PROCESS

The MCO shall provide written notice to LDH for all marketing and enrollee education events and activities for potential or current enrollees as well as any community/health education activities that are focused on healthcare benefits (health fairs or other health education and promotion activities). Notice to LDH should be made in accordance with the **Marketing and Member Education Companion Guide**.

Any revisions to approved sponsorship, press, or media events and activities must be resubmitted for approval by LDH prior to the event or activity in accordance with the **Marketing and Member Education Companion Guide**.

LDH has no jurisdiction to approve or authorize any Health Insurance Exchange activities, including the review of marketing and member materials. It is the responsibility of the MCO to ensure its Health Insurance Exchange products are approved by the proper authorities, including the Louisiana Department of Insurance and the U.S. Department of Health and Human Services. The MCO shall ensure that marketing does not violate any of the terms and conditions of the Contract.

### FOCUS GROUPS

LDH considers any focus group that includes non-enrollee participants to be a marketing effort.

The MCO shall obtain prior written approval from LDH for all focus group concepts. This includes, but is not limited to, focus group objectives, number of planned participants, cumulative number of non-enrollees who have participated in previous focus groups during the current contract year and methods for the recruitment of non-enrollees. Neither the MCO nor its subcontractors may hold a focus group or begin focus group outreach without written consent of its focus group concept.

LDH will review the submitted focus group concept(s) and either approve, deny or request changes within 30 calendar days from the date of submission.

The MCO must obtain prior written approval from LDH for focus group materials, as it does for all marketing and member materials. Focus group materials include, but are not limited to, scripts and other materials used in the focus group. In the case of focus group materials, the layout or presentation must be approved as well as the text.

LDH will review the submitted focus group materials, and either approve, deny or request changes within 30 calendar days from the date of submission.

The MCO must obtain prior written approval from LDH for any focus group event. A focus group event is defined as an event where enrollees and/or potential enrollees are brought together in order to be questioned about their opinions about health insurance, Medicaid, MCOs, Medicaid Managed Care, or any related subject. The proposed focus group event should be submitted to LDH in accordance with the Marketing and Member Education Companion Guide. Required data elements include, but are not limited to, Event Date, Event Start Time, Event End Time, Street Address and City. Information as to whether or not inconspicuous observation is possible at the chosen venue should be included in the “Comments” field.

Focus group events should not be submitted for LDH review until all materials for that focus group concept have been approved.

LDH will review proposed focus group events and either approve or deny within 14 calendar days from the date of submission.

The MCO must limit total non-member participation to 50 individuals in any one contract year.

There is no limit placed on enrollee participation in focus groups.

The maximum incentive that may be offered to each individual non-enrollee participant of a focus group is \$100 in an urban area (East Baton Rouge, Jefferson, Orleans and St. Bernard parishes) or \$125 in a rural area (parishes not specifically listed above).

The MCO shall provide LDH or its representatives access to any focus group event, where inconspicuous observation is possible, upon request.

Data and its analysis resulting from all focus group events must be submitted to LDH for informational purposes upon request.

## REPORTING

### Marketing and Member Education Plan

The MCO shall develop and implement a Marketing and Member Education Plan in accordance with the **Marketing and Member Education Companion Guide**. The detailed plan must be submitted as part of the readiness review to LDH for review and approval, and annually thereafter within 30 calendar days of the end of the calendar year.

The MCO shall not conduct enrollee education activities associated with this Contract prior to approval of the plan.

The plan shall take into consideration projected enrollment levels for equitable coverage of the entire MCO service area. The plan should clearly distinguish between marketing activities and materials and member education activities and materials.

The MCO shall submit any changes to the Marketing and Member Education Plan or included materials or activities to LDH for approval at least 30 days before implementation of the material or activity, unless the MCO can demonstrate just cause for an abbreviated timeframe.

## Marketing and Member Education Report

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The MCO shall submit a quarterly Marketing and Member Education Report in accordance with the **Marketing and Member Education Companion Guide**. The report shall include all events in which the MCO has participated during the reporting quarter. It shall also include a listing of all marketing and member education materials distributed by the MCO during the reporting period.

## Alleged Marketing Violations

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Alleged marketing violations shall be reported to LDH in writing utilizing the Marketing Complaint Form.

## MCO BRAND AND LOGO

The MCO shall clearly distinguish between its Medicaid and commercial products in its branding and logo usage to ensure federal requirements against direct marketing to Medicaid enrollees are not compromised.

## STEERING

Patient steering is defined in Title 50 of the Louisiana Administrative Code as unsolicited advice or mass-marketing directed at Medicaid beneficiaries by MCOs, including any of the entity's employees, affiliated providers, agents, or contractors, that is intended to influence or can reasonably be concluded to influence the Medicaid beneficiary to enroll in, not enroll in, or disenroll from a particular MCO.

If the MCO or its providers are found to have engaged in patient steering, they may be subject to non-compliance actions including, but not limited to, monetary penalties, loss of linked patients, and exclusion from enrollment in Medicaid/Medicaid managed care network opportunities.

The MCO should ensure that its network providers adhere to the following:

- ❖ Providers may inform their patients of all MCO networks in which they participate, and may inform patients of the benefits, services, and specialty care services offered through the MCOs in which they participate.
- ❖ Providers are not allowed to disclose only some of the MCOs in which they participate. Disclosure of MCO participation must be all or nothing.
- ❖ Providers may display signage, provided by the MCO, at their locations indicating which MCOs are accepted there, but must include all MCOs in which they participate in this signage.
- ❖ Providers may not recommend one MCO over another MCO and may not offer patients incentives for selecting one MCO over another. Providers may allow use of office equipment (e.g., phones, computers, etc.) for enrollee-directed enrollment or disenrollment purposes.
- ❖ Patients who need assistance with their MCO services should call the member call center for the MCO in which they are enrolled, and those who wish to learn more about the different MCOs should contact the enrollment broker at 1-855-229-6848 to receive assistance in making an MCO decision.
- ❖ Under no circumstances is a provider allowed to change an enrollee's MCO or request an MCO reassignment on an enrollee's behalf. Disenrollment requests must be initiated and approved by the enrollee.

These prohibitions against patient steering apply to participation in the Medicaid managed care and the legacy Medicaid programs.

For pharmacies enrolled as Louisiana Medicaid providers, or contracted with any MCO's pharmacy benefit manager, the same steering prohibitions stated above apply to communications with Medicaid/Medicaid managed care patients.

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# PART 13: QUALITY

LDH's **Medicaid Managed Care Quality Strategy** ("Quality Strategy") defines and drives the overall vision for advancing health outcomes and quality of care provided to Louisiana Medicaid enrollees. The MCO must have an overall quality management and quality improvement approach with specific strategies that advance the Quality Strategy and LDH's incentive-based quality measures.

LDH has also developed an **MCO Quality Companion Guide** that focuses on core quality improvement activities. The MCO shall refer to this companion guide for clarification of contract requirements and external quality review organization (EQRO) activities and processes. This includes timeline and format specifications for performance measure and Performance Improvement Project (PIP) reporting.

LDH has established the opportunity for MCOs to participate in incentive arrangements in accordance with 42 C.F.R. §438.6(b). Each incentive arrangement will include specified activities, targets, performance measures, or quality-based outcomes for a fixed length of time that support the Quality Strategy. These incentive arrangements will collectively be known as the Managed Care Incentive Payment (MCIP) program. All incentive arrangements must comply with the MCIP Program Protocol developed by LDH and the MCIP section of the Contract.

See the *Resources* section for links to the Quality Strategy and **MCO Quality Companion Guide**.

## PERFORMANCE IMPROVEMENT PROJECTS

At LDH's request, prior to initiation for each LDH-directed PIP, the MCO shall submit in writing a PIP proposal, in compliance with this Manual and the Contract, for LDH approval. The Proposal shall include:

- ❖ An overview explaining how and why the project was selected, the status of the PIP, and its relevance to the MCO enrollees and providers;
- ❖ The study question;
- ❖ The study population;
- ❖ The quantifiable measures to be used, including the baseline and goal for improvement;
- ❖ Baseline methodology;
- ❖ Data sources;
- ❖ Data collection methodology and plan;
- ❖ Data collection plan and cycle, which must be at least monthly;
- ❖ Results with quantifiable measures;
- ❖ Analysis with time period and the measures covered;
- ❖ Explanation of the methods to identify opportunities for improvement; and
- ❖ An explanation of the initial interventions to be taken.

## Performance Improvement Projects Reporting Requirements

The MCO shall submit to LDH project data analysis quarterly or as determined by LDH.

The MCO shall submit project outcomes annually to LDH.

Reporting specifications are detailed in the **MCO Quality Companion Guide**.

LDH reserves the right to request additional reports as deemed necessary. LDH will notify the MCO of additional required reports no less than 30 days prior to due date of those reports.

PIPs used to measure performance improvement shall include diagrams (e.g. algorithms and/or flow charts) for monitoring and shall:

- ❖ Target specific conditions and specific health service delivery issues for focused system-wide and individual practitioner monitoring and evaluation;
- ❖ Use clinical care standards and/or practice guidelines to objectively evaluate the care the MCO delivers or fails to deliver for the targeted clinical conditions;
- ❖ Use appropriate quality indicators derived from the clinical care standards and/or practice guidelines to screen and monitor care and services delivered;
- ❖ Implement system interventions to achieve improvement in quality, including a (PDSA) cycle;
- ❖ Evaluate the effectiveness of the interventions;
- ❖ Provide sufficient information to plan and initiate activities for increasing or sustaining improvement;
- ❖ Monitor the quality and appropriateness of care furnished to enrollees with special health care needs;
- ❖ Reflect the population served in terms of age groups, disease categories, and special risk status,
- ❖ Ensure that multi-disciplinary teams will address system issues;
- ❖ Include objectives and quantifiable measures based on current scientific knowledge and clinical experience and have an established goal benchmark;
- ❖ Validate the design to ensure that the data to be abstracted during the QI project is accurate, reliable and developed according to generally accepted principles of scientific research and statistical analysis, and
- ❖ Maintain a system for tracking issues over time to ensure that actions for improvement are effective.

## ENROLLEE ADVISORY COUNCIL

The Council is to be chaired by the MCO's Administrator/CEO/COO or designee and will meet at least quarterly.

Every effort shall be made to include statewide broad representation of both enrollees/families/significant others, enrollee advocacy groups and providers that reflect the population and community served. At least one family member/caregiver of a child with special health care needs shall have representation on the committee. Enrollees/families/significant others and enrollee advocacy groups shall make up at least 50% of the membership.

The MCO shall provide an orientation and ongoing training for Council members so they have sufficient information and understanding to fulfill their responsibilities.

The MCO shall develop and implement an Enrollee Advisory Council Plan that outlines the schedule of meetings and the draft goals for the council that includes, but is not limited to, enrollees' perspectives to improve quality of care. This plan shall be submitted to LDH during the readiness review and annually thereafter.

LDH shall be included in all correspondence to the Council, including agenda and Council minutes. Additionally, all agenda and Council minutes shall be posted to the MCO website in English and Spanish, with any enrollee-identifying information redacted.

# ADVERSE INCIDENT AND QUALITY OF CARE CONCERNS MANAGEMENT AND REPORTING

The MCO shall assess, investigate, report, and follow-up on all adverse incidents involving the specialized behavioral health population, including:

- ❖ Assuring the enrollee is protected from further harm and that medical or other services are provided, as needed;
- ❖ Following up to determine cause and details of the critical incident if a provider agency or staff is involved;
- ❖ Identifying possible measures to prevent or mitigate the reoccurrence of similar critical incidents; and
- ❖ Monitoring the effectiveness of remedial actions when a provider agency or staff is involved.

The MCO shall assure providers complete and submit adverse incident reports within one business day of discovery of the incident.

If appropriate, the MCO and providers must report allegations of abuse, neglect, exploitation, or extortion directly and immediately to the appropriate protective services agency or licensing agency. The following agencies are responsible for investigating such allegations:

- ❖ Department of Child and Family Service (DCFS);
- ❖ Adult Protective Services (APS) for vulnerable individuals ages 18 to 59;
- ❖ Governor's Office of Elderly Affairs Elderly Protective Services (EPS) for vulnerable individuals ages 59 and over; and
- ❖ LDH Health Standards Section (HSS) for people who reside in a public or private Intermediate Care Facility, persons with Developmental Disabilities (ICF/DD), ICF/Nursing Facilities, and CPS or APS cases in which the alleged perpetrator is an employee of an agency licensed by HSS.

Community providers are prohibited from using restrictive interventions/restraints. Any instances of restraint that threaten enrollees' health and welfare should be reported and referred to the appropriate protective service agency and the Health Standards Section.

The following are types of adverse incidents:

- ❖ Abuse (child/youth) - any one of the following acts that seriously endanger the physical, mental, or emotional health and safety of the child.
  - The infliction, attempted infliction, or, because of inadequate supervision, the allowance of the infliction or attempted infliction of physical or mental injury upon the child by a parent or any other person.
  - The exploitation or overwork of a child by a parent or any other person.
  - The involvement of a child in any sexual act with a parent or any other person.
  - The aiding or toleration by the parent of the caretaker of the child's sexual involvement with any other person or of the child's involvement in pornographic displays or any other involvement of a child in sexual activity constituting a crime under the laws of this state. (La. Ch. Code art. 603(2))
- ❖ Abuse (adult) - the infliction of physical or mental injury, or actions which may reasonably be expected to inflict physical injury, on an adult by other parties, including but not limited to such means as sexual abuse, abandonment, isolation, exploitation, or extortion of funds or other things of value. (La. R.S. 15:1503.2)

- ❖ Death - regardless of cause or the location where the death occurred. Documentation must address dates of all events and correspondence; cause of death; if the enrollee was receiving hospice or home health services; the who, what, when, where and why facts concerning the death; and relevant medical history and critical incidents associated with the death.
- ❖ Exploitation (adult) - the illegal or improper use or management of the funds, assets, or property of a person who is aged or an adult with a disability, or the use of power of attorney or guardianship of a person who is aged or an adult with a disability for one's own profit or advantage. (La. R.S. 15:1503.7)
- ❖ Extortion (adult) - the acquisition of a thing of value from an unwilling or reluctant adult by physical force, intimidation, or Abuse of legal or official authority. (La. R.S. 15:503.8)
- ❖ Neglect (child/youth) - the refusal or unreasonable failure of a parent or caretaker to supply the child with the necessary food, clothing, shelter, care, treatment, of counseling for any illness, injury, or condition of the child, as a result of which the child's physical, mental or emotional health and safety are substantially threatened or impaired. This includes prenatal illegal drug exposure caused by the parent, resulting in the Newborn being affected by the drug exposure and withdrawal symptoms. (La. Ch. Code art. 603(18))
- ❖ Neglect (adult) - the failure, by a caregiver responsible for an adult's care or by other parties, to provide the proper or necessary support or medical, surgical, or any other care necessary for his well-being. No adult who is being provided treatment in accordance with a recognized religious method of healing in lieu of medical treatment shall for that reason alone be considered to be neglected or abused. (La. R.S. 15:1503.10)

## OUTCOME ASSESSMENT FOR BEHAVIORAL HEALTH SERVICES

Reserved.

## QUALITY MONITORING REVIEWS FOR BEHAVIORAL HEALTH PROVIDERS

The MCOs shall collaborate with each other to develop and implement a plan for monitoring specialized behavioral health providers and facilities across all levels of care, which incorporates onsite reviews and enrollee interviews, on a quarterly basis. The MCO shall submit the plan to LDH for approval within 30 calendar days of contract execution and at least 60 days prior to material change. The MCO's plan shall comply with all the requirements as specified by LDH:

- ❖ Review criteria for each applicable provider type/service which comprehensively addresses the current clinical and quality components reflected in the applicable provider manual(s), treatment planning components, clinical practice guideline adherence, patient safety including adverse incident management/reporting, care coordination, discharge planning as applicable, member rights and confidentiality, and cultural competency.
- ❖ Plan for updating review criteria based on changes to requirements as reflected in the applicable provider manual or rule.

- ❖ Number of charts to be reviewed at each provider location (the MCO shall review a reasonable number of records to determine each provider's compliance rate; five to ten records per provider is a generally accepted target);
- ❖ Member interview criteria, including target number of members to be interviewed and survey questions, to evaluate quality of care, satisfaction, receipt of service, and member outcomes;
- ❖ Onsite review criteria;
- ❖ Sample selection criteria, including inclusion and exclusion criteria;
- ❖ Tools to be used;
- ❖ Qualifications for staff performing monitoring reviews who at a minimum must be an LMHP or psychiatrist unless otherwise approved by LDH;
- ❖ Plan for educating providers on the provider monitoring process, including review criteria and corrective actions, initially and ongoing;
- ❖ Corrective actions to be imposed based on the degree of provider non-compliance with review criteria elements on both an individual and systemic basis;
- ❖ Plan for ensuring corrective actions are implemented appropriately and timely by providers; and
- ❖ Inter-rater reliability testing methods, including targets, processes to ensure staff participate in reliability testing reviews initially and at least annually, and processes to ensure staff meet the target rate prior to conducting reviews independently.

At a minimum, the MCO's sampling approach shall result in a statistically significant representative sample with a confidence interval of 95% +/- 5% for each service category, which include mental health (including inpatient, residential, and outpatient) and substance use (including residential and outpatient). Additional service categories may be added at the discretion of LDH.

LDH reserves the right to select the MCO's sample for each service category.

The MCO shall ensure that an appropriate corrective action is taken when a provider furnishes inappropriate or substandard services, when a provider does not furnish a service that should have been furnished, or when a provider is out of compliance with federal and state requirements. The MCO shall monitor and evaluate corrective actions taken to ensure that appropriate changes have been made in a timely manner.

The MCO shall submit routine reports using the template provided by LDH which summarize monitoring activities, findings, corrective actions, and improvements for Specialized Behavioral Health Services.

For desktop reviews, the MCO shall maintain documentation used to determine the providers' compliance for a minimum of three years from the date of review.

## PART 14: VALUE-BASED PAYMENT

Value-based payment (VBP) is a broad set of performance-based payment strategies that link financial incentives to providers' performance on a set of defined measures of quality and/or cost or resource use.

### VBP STRATEGIC PLAN

The MCO shall develop its VBP Strategic Plan in accordance with Attachment E, *APM Strategic Plan Requirements and Reporting Template*.

### MINIMUM VBP THRESHOLD AND QUALIFYING VBP ARRANGEMENTS

The MCO shall demonstrate that it has met the minimum VBP threshold established as defined by LDH in accordance with the Contract and Attachment E, *APM Strategic Plan Requirements and Reporting Template*.

### PHYSICIAN INCENTIVE PLAN

The MCO's Physician Incentive Plans shall be in compliance with 42 C.F.R. §438.3(i), §422.208 and §422.210, the Contract, and the Physician Incentive Plan Requirements in the *Resources* section.

# PART 15: PROGRAM INTEGRITY

Preventing and detecting Medicaid fraud, waste, and abuse requires a collaborative effort by various parties.

LDH, the Louisiana Legislative Auditor's Office, and the Office of the Attorney General are responsible for identifying and reviewing suspected incidents of fraud, waste, and abuse. This includes the preliminary investigation of credible allegations of fraud, the preliminary and full investigation of fraud, waste, and/or abuse, and any other matters necessary to comply with federal and state regulations. The Office of the Attorney General conducts criminal investigation and prosecution of fraud and abuse by providers, via its Medicaid Fraud Control Unit (MFCU), and by enrollees based on LDH and MCO referrals and complaints received from the public.

The MCO is responsible for quality review, compliance, and fraud and abuse investigation. Subjects may be MCO employees, subcontractors, providers, and enrollees. The MCO has no criminal review authority, although it may pursue civil damages, so the MCO is required to report suspected and confirmed fraud and abuse to LDH and MFCU. A summary of responsibilities is provided below.

## INVESTIGATIONS

All reviews shall be completed within 10 months (300 calendar days) unless an extension is authorized. Requests for extensions to investigations are to be e-mailed to LDH as needed.

## REFERRALS/NOTICES

All provider and enrollee fraud and abuse must be reported to the appropriate agencies as follows:

Type	Reported To	Reporting Template
Provider (confirmed)	LDH and MCFU	MCO Fraud Referral Template
Provider (suspected)	LDH and MCFU	MCO Fraud Notice Template
Enrollee (confirmed or suspected)	LDH and local law enforcement	MCO Member Fraud Referral Template

LDH and MFCU screen all referrals for potential payment suspension. MFCU may choose to open its own investigation, or it may use the information to expand an existing investigation. For this reason, the MCO must refrain from contacting the subject of the fraud referral until LDH confirms the MCO may continue its review. There is no such prohibition on contacting the subject of a fraud notice.

## REPORTING

The MCO must report all audits, overpayments identified, and recoveries by the MCO and its subcontractors, including subcontractors that pay claims (e.g., PBMs, transportation brokers), using the LDH report template.

The MCO must adjust encounters when it discovers the data is incorrect or no longer valid or that some element of the claim needs to be changed.

When overpayments associated with fraud, waste, and abuse are identified, the MCO shall start the process of voiding or adjusting claims and encounters within 14 days of being considered final, regardless of recovery status.

Overpayments are considered final when all appeals and grievances have been exhausted. All voids should be completed within 45 calendar days of the overpayment being considered final. A 45 calendar day extension will be allowed for those overpayments involving 500 or more claim lines.

## TIPS

All tips regarding any potential billing or claims issue identified through complaints or internal review shall be reported to LDH by the 20<sup>th</sup> of the month.

The MCO shall promptly perform a preliminary investigation of all incidents of suspected and/or confirmed fraud and abuse, including tips shared with the MCO by LDH in the monthly tips reports.

## FWA COMPLIANCE PROGRAM

The MCO is required to implement and maintain arrangements to detect and prevent fraud, waste, and abuse. The FWA Compliance Plan is due to LDH annually and prior to changes.

LDH Program Integrity may initiate reviews of the MCO's FWA detection and prevention activities.

## PROGRAM INTEGRITY MEETINGS

LDH Program Integrity hosts regular meetings to discuss fraud, abuse, waste, neglect, and overpayment issues with the MCOs and the state's Office of Attorney General MFCU, which the MCO Program Integrity Officer and CEO or COO are required to attend. The MCO's SIU investigators are encouraged to participate.

## EXCLUSIONS & PROHIBITED AFFILIATIONS

The MCO may not employ or contract with an individual or entity that is debarred, suspended, or excluded from participating in any federal health care program, or with any individual or entity that is an affiliate of such an individual or entity. This includes:

- ❖ Any person with an ownership or control interest; and
- ❖ MCO staff, MCO owners, subcontractors, and network providers.

The list of entities excluded from federally funded health care programs can be found at the U.S. Department of Health and Human Services website [\[link\]](#), the System for Award Management [\[link\]](#), Louisiana Adverse Actions List [\[link\]](#), and the Health Integrity and Protection Data Bank [\[link\]](#).

The MCO must conduct all required exclusion screenings monthly. The Exclusion Database Attestation is due to LDH by the 15<sup>th</sup> of every month. The attestation confirms that the monthly screening of providers, employees and subcontractors has been completed as required in the contract and 42 C.F.R. §455.436.

In the event payments were paid to an excluded provider, LDH may recover those funds directly from the MCO via deduction from their capitation payment. Upon identification by the state, the MCO will be given 30 days to respond and/or provide documentation that disputes the findings.

## SAMPLING OF PAID CLAIMS

On a monthly basis, the MCO must provide individual explanation of benefits (EOB) notices to a sample group of enrollees to verify that services were received by the enrollees as billed.

The MCO shall track and investigate any complaints received from enrollees that the billed services were not rendered as stated.

The sampling of paid claims report is due 30 days after the end of the calendar year quarter.

## OVERPAYMENTS

MCOs may recover any overpayments identified by the MCO; however, the MCO must confer with LDH before initiating recoupment or withhold on providers previously identified through audit coordination to ensure that the recovery is permissible, meaning the funds are not already set for recovery under an open LDH or MFCU review.

Unless prior approval is obtained from LDH, the MCO must not employ extrapolation methods to derive an overpayment in a provider audit. LDH follows published CMS guidelines used by Medicare recovery contractors to determine whether an extrapolation is permissible.

## AUDIT COORDINATION

### Surveillance and Utilization Review Audit Coordination

#### Preliminary Review of Data

- ❖ LDH Program Integrity (PI) in conjunction with Surveillance and Utilization Review (SURS) reviews encounter data of all of the MCOs on a regular basis.
- ❖ If a potential overpayment is identified for a provider within the MCO's network, SURS will send a secure e-mail to the MCO for vetting.

#### Contact with the MCOs

- ❖ The e-mail to the MCOs will contain information pertaining to the potential overpayment. The following information may be sent depending on the information available:
  - A description of the issue(s) and provider information.
  - An attachment with the encounter data and the preliminary results of each encounter audited.
  - A copy of the draft letter containing each area of review.
- ❖ The MCO is given a deadline to indicate whether the encounter data has been or is in the process of being corrected, adjusted, or audited.

## Audit Clearance

- ❖ If the issues or data anomalies relating to the providers were audited or are in the process of being audited by the MCO, SURS will need a copy of results in order for the SURS case to be closed with “no action”.
- ❖ If the providers were not previously audited by the MCOs, SURS will proceed with the audits (i.e., contacting the providers, requesting records, sending recoupment letters, etc.).

## Audit

- ❖ Records will be requested for the SURS analyst and/or consultants to review or encounters will be given for the provider to do a self-audit.
- ❖ All letters have contact information of the SURS analyst who is performing the audit if additional information or clarification is needed.
- ❖ If an overpayment is identified, a recoupment letter containing each area of review and the encounter-level detail is sent.

## Conclusion of the Audit

- ❖ The provider has informal and appeal rights (refer to the SURS Rule and the Medical Assistance Program Integrity Law (MAPIL) for detailed information).
- ❖ If a recoupment is identified, SURS will collect the amount owed from the MCO via a deduction from the MCO’s capitation payment. The MCO may pursue recovery from the provider as a result of the State-identified overpayment.
- ❖ The MCO will receive an e-mail notification from the SURS analyst that the review is complete and provide the timing of the capitation deduction.

## Unified Program Integrity Contractor Audit Coordination

### Preliminary Review of Data

- ❖ Program Integrity (PI) in conjunction with the Unified Program Integrity Contractor (UPIC) reviews encounter data of all of the MCOs on a regular basis.
- ❖ If a potential overpayment is identified for a provider within the MCO’s network, PI will send a secure e-mail to the MCO for vetting.

### Contact with the MCOs

- ❖ The e-mail to the MCO will contain information pertaining to the type/scope of the audit.
- ❖ The MCO is given a deadline to indicate whether the encounter data has been or is in the process of being corrected, adjusted or audited.

## Audit Clearance

- ❖ If the issues or data anomalies relating to the providers were audited or is in the process of being audited by the MCO, those MCO claims are removed from the potential universe of claims for the UPIC case.

- ❖ If the providers were not previously audited by the MCOs, UPIC will proceed with the audit (request records, question providers/recipients, produce a final report, etc.).

## Audit

- ❖ Records will be requested for UPIC to review.
- ❖ If an overpayment is identified, UPIC will produce a final report to the PI Unit. PI will draft/mail all correspondence to the provider, and enclose the final report.

## Conclusion of the Audit

- ❖ The provider has informal and appeal rights. Refer to the SURS Rule and the Medical Assistance Program Integrity Law (MAPIL) for detailed information.
- ❖ If a recoupment is identified, PI will collect the amount owed from the MCO via a deduction from the MCO's capitation payment. The MCO may pursue recovery from the provider as a result of the State-identified overpayment.
- ❖ The MCO will receive an e-mail notification from the UPIC analyst that the review is complete and provide the timing of the capitation deduction.

# PART 16: PAYMENT & FINANCIAL PROVISIONS

## CAPITATED PAYMENTS

Capitated payments (also referred to as “PMPM payments”) are the fixed payments that LDH makes to the MCO for each enrollee covered under the Contract for provision of MCO covered services. This payment is made regardless of whether the enrollee receives any MCO covered services during the period covered by the payment.

## KICK PAYMENTS

Kick payments are one-time fixed payments, in addition to the capitated payment, that LDH reimburses the MCO for specific services.

For each obstetrical delivery, LDH reimburses a maternity kick payment to cover the cost of prenatal care, the delivery event, and post-partum care and uncomplicated newborn hospital costs. Kick payments may be differentiated between early elective delivery events and all other delivery events.

## MCO PAYMENT SCHEDULE

The MCO should refer to the payment schedule established by LDH and published on [www.lamedicaid.com](http://www.lamedicaid.com).

## FINANCIAL INCENTIVES FOR MCO PERFORMANCE

LDH withholds 2% of the MCO’s monthly capitated payments to incentivize quality, health outcomes, and value-based payments.

The MCO may earn back the Quality Withhold for the measurement year based on its performance relative to incentive-based measures and targets as established by LDH and specified in the Contract, prior to the start of the measurement year.

The MCO may earn back the VBP Withhold based on its reporting and performance relative to VBP requirements and targets as established by the Contract. The MCO shall report on its VBP use as directed by LDH.

## MEDICAL LOSS RATIO

In accordance with the **Financial Reporting Guide**, the MCO shall provide an annual Medical Loss Ratio (MLR) report following the end of the MLR reporting year.

## RISK SHARING

The Medicaid managed care program is a full risk-bearing, MCO healthcare delivery system responsible for providing specified Medicaid covered services included in the Louisiana Medicaid State Plan to Medicaid enrollees.

An MCO assumes full risk for the cost of covered services under the Contract and incurs loss if the cost of furnishing these covered services exceeds the payment received for providing these services.

Risk mitigation strategies established under the Contract include the following:

- ❖ Risk corridor for Hepatitis C-related pharmacy, physician, and laboratory costs; and
- ❖ Zolgensma risk pool arrangement.

Additional information about the risk corridors may be found in the Contract and the **Financial Reporting Guide**.

## DETERMINATION OF MCO RATES

LDH shall establish actuarially sound capitation rates for enrollees assigned to the MCO to ensure that MCO covered services under this Contract are provided. Rates are set using available and appropriate sources, including FFS claims data, encounter data, and financial data and supplemental ad hoc data and analyses, and adjusted based on factors such as utilization trend, unit cost trend, TPL recoveries, and administrative costs.

## RISK ADJUSTMENT

Capitated payments are risk adjusted, as deemed appropriate by LDH, to account for variation in health risks among participating MCOs.

## RETURN OF FUNDS

LDH may deduct from the monthly capitation payment amounts owed by the MCO to LDH. LDH will provide written instruction to the MCO if funds are to be returned in any other manner.

## COST SHARING

In accordance with 42 C.F.R. §447.56(f)(1), Medicaid cost sharing incurred by all individuals in a Medicaid household may not exceed an aggregate limit of 5% of the family's income applied on a monthly basis as directed by LDH. The MCO/Pharmacy Benefit Manager will implement a Point of Sale edit that will apply a per-enrollee maximum monthly copayment and turn off cost sharing when maximum copayments are met. LDH's fiscal intermediary will send the MCO a file with the per-enrollee maximum monthly copayment.

The MCO and its subcontractors also may not impose copayments for the following:

- ❖ Family planning services and supplies;
- ❖ Emergency services;
- ❖ U.S. Preventive Services Task Force (USPSTF) A and B Recommendations; and
- ❖ Services provided to:
  - Individuals younger than 21 years old;
  - Pregnant women;
  - Individuals who are inpatients in long-term care facilities or other institutions;
  - Native Americans;
  - Alaskan Eskimos;

- Enrollees of an Home and Community Based Waiver;
- Women whose basis of Medicaid eligibility is Breast or Cervical Cancer; and
- Enrollees receiving hospice services.

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## PART 17: THIRD PARTY LIABILITY

Pursuant to federal and state law, the Medicaid program by law is intended to be the payer of last resort. This means all other available third party liability (TPL) resources must meet their legal obligation to pay claims before the MCO pays for the care of an individual eligible for Medicaid.

The following third parties must be billed prior to billing Medicaid. This list is not exhaustive.

- ❖ Health insurance:
  - Policies and indemnity policies that make payment when a medical service is provided and that restrict payment to the period of hospital confinement.
  - Policies that pay income supplements for lost income due to disability or policies that make a payment for a disability, such as weekly disability policy, are not included;
- ❖ Major medical, drug, visions care and other supplements to basic health insurance contracts;
- ❖ TRICARE-provides coverage for off base medical services to dependents of uniformed service personnel, active or retired;
- ❖ Veteran Administration (CHAMP-VA) provides coverage for medical services to dependents of living and deceased disabled veterans;
- ❖ Railroad Retirement;
- ❖ Automobile medical insurance;
- ❖ Worker's compensation;
- ❖ Liability insurance-includes automobile insurance and other public liability policies, such as home accident insurance, etc.; and
- ❖ Family health insurance carried by an absent parent.

When an enrollee has other insurance, the enrollee must follow any and all requirements of that insurance since it is primary. If the enrollee does not follow private insurance rules and regulations, the MCO will not be responsible for considering reimbursement of those services. Thus, the enrollee will be responsible for the payment of the services.

Providers must determine, prior to providing services, to which commercial plan the enrollee belongs and if the provider of service is a part of the network of that particular plan. Enrollees must be informed prior to the service that they will be responsible for payment if they choose to obtain services from an out-of-network provider and their commercial plan does not offer out-of-network benefits.

When an enrollee has other insurance, with the exception of specialized behavioral health services, the provider shall first seek authorization from the primary payer; if authorized by the primary payer, the provider shall bill the MCO as secondary payer. If not authorized by the primary payer, the provider may seek authorization from the MCO for evaluation of medical necessity.

The MCO shall process these claims as they were processed by the primary payer. The payment information indicated on the primary payer's EOB will be used to process the claim. Additionally, Medicaid TPL payments will be calculated differently for enrollees enrolled through the Louisiana Health Insurance Premium Payment Program (LaHIPP). Refer to the *LaHIPP* section for LaHIPP TPL calculation.

Specific payment mechanisms surrounding the TPL populations shall be determined by LDH in accordance with the **MCO System Companion Guide**.

## COST AVOIDANCE

Except for “pay and chase” claims identified in this section, the MCO shall cost-avoid a claim if it establishes the probable existence of another health insurance at the time the claim is filed. The MCO shall deny the claim for coordination of benefits (COB) and return it back to the provider noting the third party the MCO believes to be legally responsible for payment.

If a balance remains after the provider bills the liable third party or the claim is denied payment for a substantive reason, the provider may submit a claim to the MCO for payment of the balance up to the maximum allowable Medicaid reimbursement amount.

## PAY AND CHASE VS. WAIT AND SEE

The “pay and chase” method occurs when payment is made by the MCO for submitted claims even if a third party is likely liable, and the MCO then seeks to recoup payments from the liable third party.

The MCO shall reimburse no less than the full amount allowed under Medicaid’s payment schedule, and then seek recovery of payment from the third party within 60 days after the end of the month in which payment is made (or within 60 days after the end of the month the MCO learns of the existence of a liable third party) when:

- ❖ The service is Preventive Pediatric Care (PPC), including Early and Preventive Screening, Diagnostic, and Treatment (EPSDT), EPSDT referral and when well-baby procedure codes 99460, 99462, and 99238 are billed with diagnosis codes Z38 through Z38.8.

NOTE: The MCO shall use the pay and chase method of payment for preventive pediatric services for individuals under the age of 21 with other Health Insurance when the pediatric preventive diagnosis code is reported in the primary position of the claim. Hospitals are not included and must continue to file claims with the health insurance carriers. Primary preventive diagnoses are confined to those listed on [www.lamedicaid.com](http://www.lamedicaid.com) [link]. EPSDT referral is indicated as “Y” in block 24H of the CMS-1500 claim form or “A1” as a condition code on the UB-04 (form locators 18-28).

Section 53102(a)(1) of the Bipartisan Budget Act of 2018 removes prenatal care from pay and chase services.

The MCO must “wait and see” on claims for a service that is provided to an individual on whose behalf child support enforcement is being carried out by the state Title IV D agency. “Wait and see” is defined as payment of a claim only after the documentation is submitted to the MCO demonstrating that 100 days have elapsed since the provider billed the responsible third party and remains to be paid. The MCO shall identify third party liability enforced by the State Title IV-D agency by initiator code 02 in TPL files transmitted by LDH’s fiscal intermediary. Refer to the **MCO System Companion Guide** for the TPL file layout and initiator codes.

The provider can only bill Medicaid for the balance not paid for by the liable third party and payment can only be made for up to the Medicaid allowable amount.

# MANAGING THIRD PARTY LIABILITY FILE EXCHANGES AND ENROLLEE UPDATES

The LDH TPL contractor discovers, verifies, and adds/updates insurance coverage leads for all Medicaid enrollees. The TPL contractor completes all insurance coverage lead update requests from MCOs, LDH, providers, and enrollees within four business hours for urgent requests, and within five business days for non-urgent requests. Additionally, the TPL contractor performs a monthly data match against all Medicaid enrollees and deliver verified insurance data to the fiscal intermediary within 30 days of the match.

LDH defines urgent TPL requests as the inability of an enrollee to have a prescription filled or the inability of an enrollee to access immediate care because of incorrect third party insurance coverage.

The LDH TPL contractor is the sole source for electronic TPL resource file add/updates. Responsibilities for each entity are as follows<sup>11</sup>:

- ❖ The TPL contractor sends daily TPL file exchanges to the fiscal intermediary.
- ❖ The fiscal intermediary sends daily incremental TPL files to the MCOs every business day.
- ❖ Every Monday, the fiscal intermediary sends weekly TPL full reconciliation files to the MCO.
- ❖ The MCOs submit daily general TPL add/update requests to the TPL contractor via e-mail or fax on the Daily General MCO TPL Request Form.
  - E-mail: [latpr@hms.com](mailto:latpr@hms.com)
  - Fax: 1-877-204-1325
  - Phone: 1-877-204-1324
  - Hours of Operation: Monday - Friday, 8 a.m. - 5 p.m. Louisiana state holidays are excluded.
- ❖ If the MCO receives a **non-urgent** TPL add/update request from a provider or enrollee (past or current P or B enrollment), the MCO shall refer the provider or enrollee to the TPL contractor and provide contact information.
- ❖ When the MCO identifies TPL via claims data (an Explanation of Benefits from the primary carrier), the MCO shall verify and effectuate the verified update in its system, and process the claim. By close of business the same day, the MCO shall send the add/update record to the TPL contractor via the Daily General MCO TPL Update Request Form.
- ❖ For **urgent** TPL update requests:
  - The MCO shall be responsible for all urgent TPL update requests for P-enrolled enrollees.
    - The MCO shall verify the request and update its system within four business hours of receipt of the urgent request. This includes updates on coverage, including removal of coverage that existed prior to the enrollee's linkage to the MCO that impacts the current provider adjudication or enrollee service access (i.e., pharmacy awaiting TPL update to fulfill prescription).
    - These updates shall be submitted to the TPL contractor on the day the updates are made in the MCO's system. The updates shall be submitted via fax or e-mail on the LDH Medicaid Recipient Insurance Information Update Form. The Submission Status shall be reported as "Urgent Update: pharmacy awaiting update to fill prescription/member

<sup>11</sup> Except as approved by LDH. As of the original date of publication, two of the MCOs submit TPL updates directly to the fiscal intermediary.

unable to access immediate care”. Urgent TPL requests originating from providers and LDH via fax and e-mail may be submitted to the TPL contractor using the same Medicaid Insurance Recipient Information update form submitted to the MCO. Missing policy and enrollee information shall be added to the request prior to sending to the TPL contractor.

- All urgent TPL requests for B-enrolled enrollees shall be sent to the TPL contractor via phone, e-mail, or fax.
  - If the MCO receives an urgent request from a provider or enrollee for a B-enrolled enrollee, the MCO shall refer the provider or enrollee to the TPL contractor and provide contact information.

## POST-PAYMENT RECOVERIES FROM PROVIDERS AND LIABLE THIRD PARTIES

Post-payment recovery for third party liability (TPL)/coordination of benefits (COB) is necessary in cases where the MCO has not established the probable existence of third party liability for payments already made when a legally obligated third party is later identified.

The following requirements apply to MCOs and their subcontractors for recoveries from providers for TPL:

- ❖ The MCO or its subcontractor shall seek recovery of reimbursement within 60 days after the end of the month it learns of the existence of the liable third party.
- ❖ The MCO or its subcontractor shall seek recovery from the provider where dates of services (DOS) are 10 months or less from the date stamp on the provider recovery letter.
- ❖ The MCO or its subcontractor shall not seek recovery from the provider where DOS is older than 10 months but shall seek recovery directly from liable third parties. The MCO or its subcontractor may utilize Act 517 of the 2008 Regular Legislative Session to seek recovery of reimbursement from liable third parties for up to 36 months from the date of service reported on the claim.
- ❖ Providers shall have 60 days from the date stamp of the recovery letter to refute the recovery, otherwise recoupment from future RAs shall occur.
- ❖ Providers shall be given an additional 30 day extension at their request when the provider billed the liable third party and hasn't received an EOB.
- ❖ If after 60 days of the recovery letter, or 90 days if a 30-day extension was requested, the MCO or its subcontractor has not received a response from the provider, the recovery shall be initiated.

The provider post-payment recovery notification letter should, at a minimum, include the following:

- ❖ Provider information (provider number, provider name, provider NPI/Tax ID);
- ❖ Policy Holder information (name, policy number, group number);
- ❖ Carrier information (carrier name, address, phone);
- ❖ Type of coverage (major medical, major medical no maternity, RX only etc.);
- ❖ Patient information (name, Medicaid ID, DOB);
- ❖ Line item payment information (Medicaid claim reference number, patient Medicaid number, Medicaid remit date, dates of service, amount to be recouped);
- ❖ Recovery totals; and
- ❖ Contact information to request an extension.

The MCO shall initiate an automatic recoupment at the expiration of the 60-day period if an extension request is not received from the provider and at the expiration of the 90-day period if an extension is requested by the provider if the provider has not remitted the payment to the MCO.

## Exclusions to Post-Payment Recoveries from Providers

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- ❖ Pay and chase claims will always be referred directly to the liable third parties, as required in the Contract.
- ❖ Claims billed with EOB denial from other health insurance are excluded.
- ❖ If the liable third party is traditional Medicare, Tricare, or Champus VA, and more than 10 months have passed since the DOS, the MCO shall recover from the provider.
- ❖ Point of Sale (POS) will always be referred directly to liable third parties.

## Encounters for Post-Payment Recoveries

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The MCO shall adjust both the provider claim record and the encounter record to include the other payer payment information and report the adjusted MCO payment amount.

## TPL SCOPE OF COVERAGE

The type of enrollee's other health insurance coverage is defined by LDH as scope of coverage. Scope of coverage codes with associated definitions are specified in the **MCO System Companion Guide**.

The MCO must accept scope of coverage codes from LDH's fiscal intermediary in daily and weekly TPL file transmittals. The fiscal intermediary's TPL file transmittal schedule and file layout are specified in the **MCO System Companion Guide**.

## Provider Portal Response for TPL Scope of Coverage

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The MCO shall provide its enrollee's scope of coverage on its provider web portal. This may be the description of the scope of coverage (e.g., Major Medical No Maternity) or the scope of coverage code associated with the description (e.g., 27).

TPL scopes of coverage are available on [www.lamedicaid.com](http://www.lamedicaid.com) [link].

## Utilization of Scope of Coverage 27 (Major Medical, No Maternity Benefits) and 33 (HMO, No Maternity Benefits)

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It is possible for Medicaid beneficiaries to have Major Medical Health coverage that excludes maternity benefits. The LDH TPL contractor will assign scope of coverage (SOC) 27 to Major Medical Health Insurance Policies without Maternity Benefits and HMO Major Medical Insurance Policies without Maternity Benefits. HMO Major Medical Insurance Policies without Maternity Benefits (formerly SOC 33) has been consolidated into SOC 27.

The MCO shall not cost avoid maternity claims for enrollees with other health insurance whose Major Medical Health Insurance benefit (SOC 27) or HMO Major Medical Health Insurance benefit (SOC 27) excludes maternity

benefits. If the MCO or its subcontractor identifies TPL, it must determine if the coverage being added or updated meets the maternity exclusion.

MCOs must work with its staff and subcontractors who identify and/or verify TPL to determine if the coverage being added meets the maternity exclusion criteria.

MCOs must work with their providers to develop a process to allow providers to update the scope of coverage to 27.

\*Both the diagnosis code and the TH modifier are required.

## LAHIPP

LaHIPP participants may be identified in 834 eligibility files by CAP codes as specified in the Healthy LA MCO MVX COA Crosswalk or by TPL initiator code 25 in the TPL file layout as specified in the **MCO System Companion Guide**.

LDH is responsible for issuing payment for all or part of LaHIPP participants' health insurance premium.

LaHIPP enrollees are mandatorily enrolled in Medicaid managed care for specialized behavioral health services, and non-emergency medical transportation, including non-emergency ambulance transportation, unless residing in an institution. LaHIPP participants who receive coverage via the Act 421 Children's Medicaid Option are mandatorily enrolled in Medicaid managed care for all Medicaid covered services

## Calculation of Payment for LaHIPP Secondary Claims

Claims processed by the MCO as secondary payer for LaHIPP enrollee claims shall be processed and paid by the MCO at the full patient responsibility (co-pay, co-insurance, and/or deductible) regardless of Medicaid's allowed amount, billed charges or TPL payment amount if the participant uses a provider that accepts the enrollee's insurance as primary payer and Medicaid as secondary payer. If the provider does not accept this payment arrangement, the participant shall be responsible for the enrollee liability. The MCO pays only after the third party has met the legal obligation to pay. The MCO is always the payer of last resort, except when the MCO is responsible for payment as primary payer for Medicaid covered services not covered by commercial insurance as primary payer (e.g., mental health and transportation services).

The following is a LaHIPP claims processing example:

Procedure Code	Billed Charge	TPL Amount	Paid	Medicaid Allowed Amount	Patient Responsibility	Medicaid Payment
99213	70.00	40.00		36.13	10.00	10.00

Because this is a LaHIPP enrollee, Medicaid pays the co-pay even though the private insurance payment is more than the Medicaid allowable. Medicaid pays the patient responsibility on Medicaid covered services regardless of Medicaid's allowed amount, billed charges, or TPL payment.

NOTE: Refer to the *Resources* section for a link to the **Reinstatement and Implementation of LAHIPP Third Party (TPL) Claims Payment** manual for more LaHIPP claims processing examples.

# TPL PAYMENT & TPL PAYMENT CALCULATION

If a TPL insurer requires the enrollee to pay any co-payment, coinsurance or deductible, the MCO is responsible for making these payments under the method described below, even if the services are provided outside of the MCO network.

## Scenario 1 Professional Claim

Procedure Code	Billed Charge	TPL Paid Amount	Medicaid Allowed Amount	Patient Responsibility Amount	Medicaid Payment
99212	55.00	0.00	24.10	36.00 (Ded)	24.10
83655-QW	30.00	0.00	11.37	28.20 (Ded)	11.37
Totals	85.00	0.00	35.47	64.20 (Ded)	35.47

The Medicaid allowed amount minus the TPL paid amount is LESS than the patient responsibility; therefore, the Medicaid allowed amount is the payment.)

## Scenario 2 Outpatient Claim

Procedure Code	Billed Charge	TPL Paid Amount	Medicaid Allowed Amount	Patient Responsibility Amount	Medicaid Payment
HR270	99.25	74.44	22.04	0.00	0.00
HR450	316.25	137.19	70.24	100.00	0.00
Total	415.50	211.63	92.28	100.00	0.00

(Medicaid “zero pays” the claim. When cost-compared, the private insurance paid more than Medicaid allowed amount for the procedure. When compared, the lesser of the Medicaid allowed amount minus the TPL payment AND the patient responsibility is the former; thus, no further payment is made by Medicaid. The claim is paid in full.)

## Scenario 3 Inpatient Claim

Procedure Code	Billed Charge	TPL Paid Amount	Medicaid Allowed Amount	Patient Responsibility Amount	Medicaid Payment
Multiple HR	12,253.00	2,450.00	5,052.00	300.00	300.00

(The Medicaid allowed amount minus the TPL payment is greater than the patient responsibility; thus, the patient responsibility is paid on this covered service.)

## Scenario 4: FQHC/RHC/American Indian Clinic

Provider's PPS Rate (Medicaid allowable)	Procedure Code	Billed Charge	TPL Paid Amount	Patient Responsibility Amount	Medicaid Payment
150.00	T1015	150.00	50.00	40.00 (Ded)	100.00

Provider's PPS rate is \$150.00. The third party paid \$50.00. Medicaid pays the difference from the PPS rate and third party payment making the provider whole.

MCOs may not establish a cost-sharing payment methodology for enrollees with third party liability for FQHC, RHC and American Indian Clinic services at less than the Louisiana Medicaid State Plan rate (PPS). MCOs must pay the difference between the third party payment and the PPS for the service.

MCO payment = Medicaid PPS Rate - TPL paid amount

## Scenario 5 Outpatient Pharmacy Claim

Amount Billed	TPL Paid Amount	Medicaid Maximum Allowable	Patient Responsibility Amount from Primary	Medicaid Pharmacy Co-Pay	Medicaid Payment
38.55	28.55	31.36	10.00 (Copay)	0.50	2.31
613.00	60.00	40.73	553.00 (Ded)	0.00	0.00
177.97	5.22	14.39	172.75 (Ded)	0.50	8.67

If third party liability (TPL) is involved, the MCO as the secondary payer may not deny the claim for a high dollar amount billed for claims less than \$1,500. If the TPL pays \$0.00 or denies the claim, then the pharmacy claims should be treated as a straight Medicaid pharmacy claim. Taxes on the primary claim should be subtracted before calculating the Medicaid Maximum Allowable. Maximum Medicaid allowable is defined as professional dispensing fee plus ingredient cost (quantity \* price per unit) or usual and customary, whichever is less.

The pricing calculation is ingredient cost (quantity \* price per unit) + Dispensing Fee – TPL amount paid – copayment = Medicaid payment. If U&C is less than the Medicaid allowable, then the calculation is U&C – TPL amount paid – copayment = Medicaid payment. If there is other third party liability (TPL) payment greater than \$0.00, the MCO should electronically bypass prior authorization requirements and Point of Sale edits that would not be necessary as the secondary payer. Safety edits should still apply.

TPL claims should process with the same PCN and BIN number as primary claims.

## Scenario 6: LaHIPP Enrollee Claim

Procedure Code	Billed Charge	TPL Paid Amount	Medicaid Allowed Amount	Patient Responsibility Amount	Medicaid Payment
99213	70.00	40.00	36.13	10.00	10.00

Because this is a LaHIPP enrollee, Medicaid pays the co-pay even though the private insurance payment is more than the Medicaid allowable. Medicaid pays the patient responsibility on Medicaid covered services regardless of Medicaid's allowed amount, billed charges, or TPL payment.

## LIENS

## Approval Guidelines for Lien Settlements Equal to or Greater Than \$25,000

The process for obtaining LDH approval for settlements on liens equal to or greater than \$25,000 is as follows:

- ❖ The LDH subject matter expert (SME)/business owner for the TPL Trauma Recovery process is the point of contact for these submissions. The MCO must provide LDH with its contact for this process.
- ❖ The MCO (not its subrogation vendor) must submit these requests directly to LDH via e-mail to [Medicaid.TraumaEstateRecovery@la.gov](mailto:Medicaid.TraumaEstateRecovery@la.gov) (cc: the LDH TPL Trauma Recovery business owner), marked with High Importance, using the following subject format: “[MCO Name], Settlement Request”.
- ❖ At minimum, the MCO must include the following in the body of the e-mail and/or in the corresponding attachment(s):
  - Enrollee’s identifying information (name, SSN, Medicaid ID#);
  - DOA/DOI (Date of Accident/Date of Incident);
  - Third party (i.e., liable party/insurance companies, defense and plaintiff attorneys), with contact information;
  - MCO’s lien amount;
  - Case settlement amount;
  - Requested settlement amount (suggested reduced amount);
  - Description of incident and injuries;
  - Reason for request and MCO’s recommendation;
  - Other liens to be considered; and
  - Attorney’s fees and expenses.
- ❖ Once received, the LDH SME/business owner will consult with LDH Bureau of Legal Services and provide its decision to the MCO’s contact via secure e-mail.

## COORDINATION OF BENEFITS

### Other Coverage Information and Third Party Liability Data Exchange

In a format and medium specified by LDH in the **MCO System Companion Guide**, the MCO shall submit to LDH or its contractor a daily TPL file reporting verified TPL additions and updates for each enrollee that has not otherwise been provided by LDH’s fiscal intermediary.

The MCO shall review daily response files from LDH, or its contractor, and rejected records shall be corrected and completed within five business days.

If an enrollee is unable to access services or treatment until an update is made, the MCO shall verify and update its system within four business hours of receipt of an update request. This includes updates on coverage, including removal of coverage that existed prior to the enrollee’s linkage to the MCO that impacts current provider adjudication or enrollee service access. Such updates shall be submitted to LDH and/or its TPL vendor on the Medicaid Recipient Insurance Update Form [\[link\]](#).

### Reporting and Tracking

The MCO’s system shall identify and track potential collections. The system should produce reports indicating open receivables, closed receivables, amounts collected, amounts written off, and amounts avoided.

# PART 18: SYSTEMS AND TECHNICAL REQUIREMENTS

The MCO shall maintain an automated Management Information System (MIS), hereinafter referred to as System, which accepts and processes provider claims, verifies eligibility, collects and reports encounter data, and validates prior authorization and pre-certification that complies with LDH and federal reporting requirements.

## GENERAL REQUIREMENTS

The MCO shall ensure that its System meets the requirements of the **MCO System Companion Guide**.

## HIPAA STANDARDS AND CODE SETS

Data elements and file format requirements may be found in the **MCO System Companion Guide**.

## CONNECTIVITY

The System shall conform and adhere to the data and document management standards of LDH and its fiscal intermediary, inclusive of standard transaction code sets as outlined in the **MCO System Companion Guide**.

## HARDWARE AND SOFTWARE

The MCO shall maintain hardware and software compatible with current LDH requirements which are as follows. This includes, but is not limited to, call center operations, claims EDI operations, authorized services operations, and enrollee services operations.

### Desktop Workstation Hardware

- ❖ IBM-compatible, networked PC running Microsoft Windows 7 or later operating system.

### Desktop Workstation Software

- ❖ Operating system should be Microsoft Windows 7 or later,
- ❖ Web browser that is equal to or surpasses Microsoft Internet Explorer v7.0 and is capable of resolving JavaScript and ActiveX scripts;
- ❖ An e-mail application that is compatible with Microsoft Outlook 2007 or later. The e-mail application should have the ability to send secure messages in the case that Protected Health Information (PHI) is present. E-mail users should be periodically (at least annually) trained in the appropriate use of secure e-mail functionality with respect to PHI;
- ❖ An office productivity suite such as Microsoft Office that is compatible with Microsoft Office 2007 or later;
- ❖ Each workstation should be networked and have access to high speed Internet;

- ❖ Each workstation connected to the Internet should have anti-virus, anti-spam, and anti-malware software. Regular and frequent updates of the virus definitions and security parameters of these software applications should be established and administered;
- ❖ A desktop compression/encryption application that is compatible with WinZIP v11.0;
- ❖ All contractor-utilized workstations, laptops and portable communication devices shall be:
  - Protected by industry standard virus protection software which is automatically updated on a regular schedule;
  - Have installed all security patches which are relevant to the applicable operating system and any other system software; and
  - Have encryption protection enables at the Operating System level.
- ❖ Compliant with industry-standard physical and procedural safeguards for confidential information (NIST 800-53A, ISO 17788, etc.).

## NETWORK AND BACK-UP CAPABILITIES

The MCO shall:

- ❖ Establish a local area network or networks as needed to connect all appropriate workstation personal desktop computers (PCs);
- ❖ Establish appropriate hardware firewalls, routers, and other security measures so that the MCO's computer network is not able to be breached by an external entity;
- ❖ Establish appropriate back-up processes that ensure the back-up, archival, and ready retrieval/recovery of mainframe (when applicable), network server data and desktop workstation data;
- ❖ Ensure that network hardware is protected from electrical surges, power fluctuations, and power outages by using the appropriate uninterruptible power system (UPS) and surge protection devices; and
- ❖ Establish independent generator back-up power capable of supplying necessary power for a minimum of four calendar days.

## PROVIDER ENROLLMENT

Provider enrollment systems shall include, at minimum, the following functionality:

- ❖ Audit trail and history of changes made to the provider file;
- ❖ Automated alerts when provider licenses are nearing expiration;
- ❖ Retention of NPI requirements;
- ❖ System generated letters to providers when their licenses are nearing expiration;
- ❖ Linkages of individual providers to groups;
- ❖ Credentialing information;
- ❖ Provider office hours; and
- ❖ Provider languages spoken.

# RESOURCES

## MANUALS AND GUIDES

Links to manuals and guides referenced in this Manual are provided below. Additional MCO resources are posted on the LDH website [[link](#)].

- ❖ [Chisholm Compliance Guide](#) and [MCO User Manual](#)
- ❖ [DOJ Agreement Compliance Guide](#)
- ❖ [Continuity of Operations Plan](#)
- ❖ [Financial Reporting Guide](#)
- ❖ Justice-Involved Pre-Release Enrollment Program Manual (placeholder)
- ❖ [Louisiana Quality Management Strategy for the Louisiana Medicaid Managed Care Program \(Quality Strategy\)](#)
- ❖ [Marketing and Member Education Companion Guide](#)
- ❖ [Medicaid 834 Benefit and Enrollment EDI Transaction Set Companion Guide \(834 Systems Companion Guide\)](#)
- ❖ [Medicaid Services Manual](#)
- ❖ [Physician Incentive Plan Requirements](#)
- ❖ [Provider's Bill of Rights](#)
- ❖ [Quality Companion Guide](#)
- ❖ [Reinstatement and Implementation of LAHIPP Third Party \(TPL\) Claims Payment](#)
- ❖ [State Fair Hearing Companion Guide](#)
- ❖ [System Companion Guides](#), including:
  - [MCO System Companion Guide](#)
  - [Batch Pharmacy Encounter Companion Guide](#)

## FEE SCHEDULES

Louisiana Medicaid FFS fee schedules are posted on [www.lamedicaid.com](http://www.lamedicaid.com) [[link](#)].

## FORMS AND TEMPLATES

Most forms referenced in this Manual may be located at [www.lamedicaid.com](http://www.lamedicaid.com) [[link](#)].

Additional forms referenced in this Manual may be located using the following links:

- ❖ [Denial and Partial Denial Notice Templates](#)
- ❖ LDH Provider Fraud Referral Form (placeholder)
- ❖ [Louisiana Standardized Credentialing Application](#)
- ❖ [Marketing Complaint Submission Form](#)
- ❖ [Material Subcontractor Checklist](#)
- ❖ [WIC Referral Form](#)