

DECLARATION OF EMERGENCY

**Department of Health
Bureau of Health Services Financing
and
Office of Behavioral Health**

**Children's Behavioral Health Services
Termination of Psychosocial Rehabilitation Services for Youth
(LAC 50:XXXIII.2303 and 2703)**

The Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health amend LAC 50:XXXIII.2303 and §2703 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Emergency Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:953 (B)(1) et seq., and shall be in effect for the maximum period allowed under the Act or until adoption of the final Rule, whichever occurs first.

The Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health, through collaborative efforts, provide coverage of behavioral health services for children and youth through a comprehensive system of delivery covered under the Medicaid Program.

As the result of a budgetary shortfall in SFY 2017, the Department now proposes to amend the provisions governing children's behavioral health services in order to terminate coverage and reimbursement of psychosocial rehabilitation services to youth. This action is being taken to avoid a budget deficit in the Medical Assistance Program. It is estimated that

implementation of this Emergency Rule will reduce expenditures in the Medicaid Program by approximately \$5,844,004 for state fiscal year 2016-2017.

Effective April 1, 2017, the Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health amend the provisions governing children's behavioral health services to eliminate coverage and reimbursement for psychosocial rehabilitation services to youth.

Title 50

**PUBLIC HEALTH-MEDICAL ASSISTANCE
Part XXXIII. Behavioral Health Services
Subpart 3. Children's Mental Health Services**

Chapter 23. Services

§2303. Covered Services

A. The following behavioral health services shall be reimbursed under the Medicaid Program:

1. ...

2. rehabilitation services, including community psychiatric support and treatment (CPST);

A.3. - B.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR

38:364 (February 2012), amended by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Behavioral Health, LR 41:2359 (November 2015), amended by the Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health, LR 43:

Chapter 27. Reimbursement

§2703. Reimbursement Methodology

A. - A.3. ...

B. Effective for dates of service on or after April 1, 2017, coverage and reimbursement for psychosocial rehabilitation services for youth shall be terminated.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Behavioral Health, LR 41:2359 (November 2015), amended by the Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health, LR 43:

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Interested persons may submit written comments to Jen Steele, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge,

LA 70821-9030 or by email to MedicaidPolicy@la.gov. Ms. Steele is responsible for responding to inquiries regarding this Emergency Rule. A copy of this Emergency Rule is available for review by interested parties at parish Medicaid offices.

Rebekah E. Gee MD, MPH

Secretary