

NOTICE OF INTENT

Department of Health Bureau of Health Services Financing

Professional Services Program Reimbursement Methodology Supplemental Payments (LAC 50:IX.15151 and 15153)

The Department of Health, Bureau of Health Services Financing proposes to amend LAC 50:IX.15151 and §15153 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health, Bureau of Health Services Financing proposes to amend the provisions governing the Professional Services Program to revise the reimbursement methodology for supplemental payments to physicians and other professional service practitioners in order to align these provisions with the corresponding State Plan amendment approved by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services and to ensure that they are promulgated in a clear and concise manner in the *Louisiana Administrative Code*.

Title 50

PUBLIC HEALTH—MEDICAL ASSISTANCE Part IX. Professional Services Program Subpart 15. Reimbursement

Chapter 151. Reimbursement Methodology

Subchapter F. Supplemental Payments

§15151. State-Owned or Operated Professional Services Practices

A. Qualifying Criteria. Effective for dates of service on or after February ~~20~~21, 2017, in order to qualify to receive supplemental payments, physicians and other eligible professional service practitioners must be:

1. - 2. ...

3. employed by, or under contract to provide services in affiliation with, a state-owned or operated entity, such as a state-operated hospital or other state entity, including a state academic health system, which:

a. has been designated by the ~~bureau~~department as an essential provider. Essential providers include:

3.a.i. - b. ...

B. Qualifying Provider Types. For purposes of qualifying for supplemental payments under this Section, services provided by the following professional practitioners will be included:

1. - 3. ...

4. certified nurse anesthetists; and

5. ~~nurse midwives;~~ dentists.

~~6. psychiatrists;~~

~~7. psychologists;~~

- ~~8. speech language pathologists;~~
- ~~9. physical therapists;~~
- ~~10. occupational therapists;~~
- ~~11. podiatrists;~~
- ~~12. optometrists;~~
- ~~13. social workers;~~
- ~~14. dentists;~~
- ~~15. audiologists;~~
- ~~16. chemical dependency counselors;~~
- ~~17. mental health professionals;~~
- ~~18. opticians;~~
- ~~19. nutritionists;~~
- ~~20. paramedics; and~~
- ~~21. doctors of chiropractic.~~ 6. - 21. Repealed.

C. - D. ...

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 40:544 (March 2014), amended by the Department of Health, Bureau of Health Services Financing, LR 43:1390 (July 2017), LR 44:

§15153. Non-State-Owned or Operated Professional Services Practices

A. Qualifying Criteria. Effective for dates of service on or after February ~~2021~~, 2017, in order to qualify to receive supplemental payments, physicians and other eligible professional service practitioners must be:

1. - 2. ...

3. employed by, or under contract to provide services at a non-state owned or operated governmental entity and identified by the non-state owned or operated governmental entity as a physician that is employed by, or under contract to provide services at or in affiliation with said entity.

B. Qualifying Provider Types. For purposes of qualifying for supplemental payments under this Section, services provided by the following professional practitioners will be included:

1. - 2. ...

3. certified registered nurse practitioners; and

4. certified nurse anesthetists~~;~~ .

~~5. nurse midwives;~~

~~6. psychiatrists;~~

~~7. psychologists;~~

~~8. speech-language pathologists;~~

~~9. physical therapists;~~

~~10. occupational therapists;~~

~~11. podiatrists;~~

~~12. optometrists;~~

- ~~13. social workers;~~
- ~~14. dentists;~~
- ~~15. audiologists;~~
- ~~16. chemical dependency counselors;~~
- ~~17. mental health professionals;~~
- ~~18. opticians;~~
- ~~19. nutritionists;~~
- ~~20. paramedics; and~~
- ~~21. doctors of chiropractic.~~ 5. - 21. Repealed.

C. - F. ...

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 40:544 (March 2014), amended by the Department of Health, Bureau of Health Services Financing, LR 43:1390 (July 2017), LR 44:

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.

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this

proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, no direct or indirect cost to the provider to provide the same level of service, and will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

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 proposed Rule. A public hearing on this proposed Rule is scheduled for Thursday, March 29, 2018 at 9:30 a.m. in Room 173, Bienville Building, 628 North Fourth Street, Baton Rouge, LA.

At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing. The deadline for receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Rebekah E. Gee MD, MPH

Secretary