

NOTICE OF INTENT
Department of Health
Office of Intellectual and Developmental Disability Supports
and
Bureau of Health Services Financing

Home and Community-Based Waivers
Developmental Disabilities Services
(LAC 48:IX. Chapter 1)

The Department of Health, Office of Intellectual and Developmental Disability Supports and the Bureau of Health Services Financing propose to repeal LAC 48:IX. Chapter 1 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, Office of Intellectual and Developmental Disability Supports and the Bureau of Health Services Financing propose to repeal the provisions governing Adult Day Services in LAC 48:IX. Chapter 1. This is being done in accordance with Act 192 of the 2024 Regular Legislative Session and EXO JML 25-38, which require the department to review rules to ensure they are necessary and consistent with departmental guidelines.

The proposed Rule text below has been drafted utilizing plain language principles to ensure clarity and accessibility for all users. It has also been reviewed and tested for compliance with web accessibility standards.

Title 48

HEALTH AND HOSPITALS—GENERAL

Part IX. Developmental Disabilities Services

Chapter 1. Adult Day Services

§101. General Provisions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 28.380 through 444.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of Mental Retardation/Developmental Disabilities, LR 13:246 (April 1987), amended by the Department of Health and Hospitals, Office for Citizens with Developmental Disabilities, LR 21:685 (July 1995), repealed by the Department of Health, Office of Intellectual and Developmental Disability Supports and Bureau of Health Services Financing, LR 52:

§103. Guiding Principles

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 28.380 through 444.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of Mental Retardation/Developmental Disabilities, LR 13:246 (April 1987), amended by the Department of Health and Hospitals, Office for Citizens with Developmental Disabilities, LR 21:687 (July 1995), repealed by the Department of Health, Office of Intellectual and Developmental Disability Supports and Bureau of Health Services Financing, LR 52:

§105. Administrative Standards

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 28.380 through 444.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of Mental Retardation/Developmental Disabilities, LR 13:246 (April 1987), amended by the Department of Health and Hospitals, Office for Citizens with Developmental Disabilities, LR 21:688 (July 1995), repealed by the Department of Health, Office of Intellectual and Developmental Disability Supports and Bureau of Health Services Financing, LR 52:

§107. Programmatic Standards

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 28:380 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of Mental Retardation/Developmental

Disabilities, LR 13:246 (April 1987), amended by the Department of Health and Hospitals, Office for Citizens with Developmental Disabilities, LR 21:691 (July 1995), LR 27:854 (June 2001), repealed by the Department of Health, Office of Intellectual and Developmental Disability Supports and Bureau of Health Services Financing, LR 52:

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.

Family Impact Statement

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.

Poverty Impact Statement

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.

Small Business Analysis

In compliance with the Small Business Protection Act, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will have no impact on small businesses.

Provider Impact Statement

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.

Public Comments

Interested persons may submit written comments to Tangela Womack, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030. Ms. Womack is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is August 19, 2026.

Public Hearing

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of the Secretary

ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on August 10, 2026. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on August 27, 2026, in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after August 19, 2026. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing.

Bruce D. Greenstein

Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Home and Community-Based Waivers

Developmental Disabilities Services

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that implementation of this proposed rule will not have a fiscal impact to the state except \$320 for the state's share of the administrative expense of promulgation of the proposed rule and final rule in SFY 26-27.

This proposed rule repeals the provisions governing Adult Day Services in LAC 48:IX. Chapter 1. This is being done in accordance with Act 192 of the 2024 Regular Legislative Session and Executive Order JML 25-38, which require the department to review rules to ensure they are necessary and consistent with departmental guidelines.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that the implementation of this proposed rule will have no fiscal impact on the collection of federal revenue aside from \$319 for the federal share of the administrative cost of promulgation of the proposed rule and final rule in SFY 26-27.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

It is anticipated that implementation of this proposed rule will have no impact on providers, small businesses, or non-governmental groups since the rules it repeals are outdated or redundant.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This proposed rule has no known effect on competition and employment.