

NOTICE OF INTENT

**Department of Health
Bureau of Health Services Financing**

**Medicaid Eligibility
Federally-Facilitated Marketplace Determinations
(LAC 50:III.505)**

The Department of Health, Bureau of Health Services Financing proposes to repeal LAC 50:III.505 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 proposes to repeal LAC 50:III.505 to align with recent legislative changes enacted through Act 427 of the 2025 Regular Session. Act 427 prohibits the department from accepting Medicaid eligibility determinations made by a Federally-Facilitated Exchange, including the Federally-Facilitated Marketplace, pursuant to 42 U.S.C. §18041(c).

This repeal is necessary to eliminate provisions in the *Louisiana Administrative Code* that conflict with the requirements of Act 427 and to ensure regulatory consistency with state law.

The 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 50

PUBLIC HEALTH – MEDICAL ASSISTANCE Part III. Eligibility

Chapter 5. Application Processing

§505. Federally-Facilitated Marketplace Determinations

Repealed.

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 41:1489 (August 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 42:1091 (July 2016), LR 51:

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 Drew Maranto, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030. Mr. Maranto is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is November 19, 2025.

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 November 10, 2025. 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 November 25, 2025 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after November 10, 2025. 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: Medicaid Eligibility

Federally-Facilitated Marketplace Determinations

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

It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 25-26. It is anticipated that \$432(\$216 SGF and \$216 FED) will be expended in FY 25-26 for the state's administrative expense for promulgation of this proposed rule and the final rule.

This repeal is necessary to eliminate provisions in the Louisiana Administrative Code that conflict with the requirements of Act 427 and to ensure regulatory consistency with state law. This proposed rule repeals provisions governing the use of the federally-facilitated marketplace to make eligibility determinations. It is anticipated that all individuals eligible through the federally-facilitated marketplace will continue to be eligible after this rule is repealed, and therefore there should be no impact to the Medicaid program.

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

It is anticipated that implementation of this proposed rule will have no impact on federal revenue collections for FY 25-26. It is anticipated that \$432 will be collected in FY 25-26 for the federal share of the expense for promulgation of this proposed rule and the final rule.

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

This repeal is necessary to eliminate provisions in the Louisiana Administrative Code that conflict with the requirements of Act 427 and to ensure regulatory consistency with state law. This proposed rule repeals provisions governing the use of the federally-facilitated marketplace to make eligibility determinations. It is anticipated that all individuals eligible through the federally-facilitated marketplace will continue to be eligible after this rule is repealed. This proposed rule is expected to have no fiscal impact to small businesses or providers in FY 26, FY 27, or FY 28.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT

(Summary)

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