

NOTICE OF INTENT
Department of Health
Bureau of Health Services Financing

Medicaid Eligibility
Express Lane Eligibility
(LAC 50:III.1103)

The Department of Health, Bureau of Health Services Financing proposes to amend LAC 50:III.1103 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 and Hospitals, Bureau of Health Services Financing adopted provisions to establish express lane eligibility (ELE) in order to expedite identification and enrollment of uninsured children in the Medicaid/Louisiana Children's Health Insurance Program (LaCHIP), to clarify which agencies' data will be used for ELE determinations, and to identify additional agencies which may provide data(*Louisiana Register*, Volume 36, Number 7).

The Department of Health, Bureau of Health Services Financing has now determined that it is necessary to amend the provisions governing ELE in order to remove certain agencies from the eligibility determinations process to comply with the requirements of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services.

Title 50

PUBLIC HEALTH—MEDICAL ASSISTANCE Part III. Eligibility Subpart 1. General Administration

Chapter 11. Express Lane Eligibility

§1103. Eligibility Determinations

A. - A.1. ...

B. The department shall utilize eligibility findings from Express Lane agencies that administer the:

1. ...

2. ~~Richard B. Russell National School Lunch Act~~
~~(Free Lunch Program)~~Temporary Assistance for Needy Families.

3. ~~Child Nutrition Act of 1966 (Women, Infants and~~
~~Children (WIC) Program)~~state program funded under Title IV-D
(Child Support Enforcement Services/SES); and

4. ~~Temporary Assistance for Needy Families (TANF)~~
~~under Title IV A;~~Child Care and Development Block Grant Act of
1990.

5. ~~Head Start Act;~~

~~6. state program funded under Title IV-D (Child~~
~~Support Enforcement Services/SES);~~

~~7. Child Care and Development Block Grant Act of~~
~~1990;~~

~~8. Stewart B. McKinney Homeless Assistance Act, the~~
~~U. S. Housing Act of 1937; and~~

~~9. Native American Housing Assistance and Self-~~
~~Determination Act of 1996.~~ 5. - 7. Repealed.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 36:1555
(July 2010), promulgated by the Department of Health, Bureau of
Health Services Financing, 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.

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 child, individual, family
functioning, stability or 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 cost 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, October 26, 2017 at 9:30 a.m. in Room 118, 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