

Table of Contents

State/Territory Name: Louisiana

State Plan Amendment (SPA) LA: 24-0003

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form/Summary Form (with 179-like data)
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services
Center for Medicaid & CHIP Services
233 North Michigan Ave., Suite 600
Chicago, Illinois 60601



Financial Management Group

May 30, 2024

Kimberly Sullivan
Medicaid Executive Director
Louisiana Medicaid Program
Louisiana Department of Health
Bureau of Health Services
Financing 628 North Fourth Street
Post Office Box 91030
Baton Rouge, Louisiana 70821-9030

RE: Louisiana TN 24-0003

Dear Medicaid Executive Director Kimberly Sullivan:

The Centers for Medicare & Medicaid Services (CMS) has reviewed the proposed Louisiana state plan amendment (SPA) to Attachment 4.19-B LA-24-0003 which was submitted to CMS on March 4, 2024. This plan amendment adopt provisions in the Home Health Program in order to establish recruitment and retention fee for service (FFS) payments under the American Rescue Plan Act 9817 for services rendered to eligible FFS Medicaid beneficiaries.

We reviewed your SPA submission for compliance with statutory requirements including in sections 1902(a)(2), 1902(a)(13), 1902(a)(30), and 1903 as it relates to the identification of an adequate source for the non-federal share of expenditures under the plan, as required by 1902(a)(2), of the Social Security Act and the applicable implementing Federal regulations.



Based upon the information provided by the state, we have approved the amendment with an effective date of January 1, 2024. We are enclosing the approved CMS-179 and a copy of the new state plan pages.

If the State have any additional questions or need further assistance, please contact Monica Neiman at 214-767-4456 or via email at monica.neiman@cms.hhs.gov.

Sincerely,

Todd McMillion

Todd McMillion
Director
Division of Reimbursement Review

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES		1. TRANSMITTAL NUMBER 24-0003	2. STATE LA
		3. PROGRAM IDENTIFICATION: TITLE <u>XIX</u> OF THE SOCIAL SECURITY ACT	
TO: CENTER DIRECTOR CENTERS FOR MEDICAID & CHIP SERVICE DEPARTMENT OF HEALTH AND HUMAN SERVICES		4. PROPOSED EFFECTIVE DATE January 1, 2024	
5. FEDERAL STATUTE/REGULATION CITATION Title XIX of the Social Security Act Section 9817 of the American Rescue Plan Act		6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars) a. FFY <u>2024</u> \$ <u>1,038,345</u> b. FFY <u>2025</u> \$ <u>895,139</u>	
7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT Attachment 4.19-B, Item 7, Page 6 (New Page) <i>Attachment 4.19-B, Item 7, Pages 7 & 8 (New pages)</i>		8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable)	
9. SUBJECT OF AMENDMENT The purpose of this SPA is to adopt provisions in the Home Health program in order to establish recruitment and retention payments for nurses that provide extended home health (EHH) services to beneficiaries under the age of 21, in accordance with Section 9817 of the American Rescue Plan Act.			
10. GOVERNOR'S REVIEW (Check One) <div><input type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO COMMENT <input type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL</div> <div><input checked="" type="checkbox"/> OTHER, AS SPECIFIED: The Governor does not review State Plan material.</div>			
11. SIGNATURE OF STATE AGENCY OFFICIAL 		15. RETURN TO Kimberly Sullivan, J.D. Medicaid Executive Director Louisiana Department of Health 628 North 4th Street P.O. Box 91030 Baton Rouge, LA 70821-9030	
12. TYPED NAME Michael Harrington, MBA, MA Designee for Ralph L. Abraham, M.D.			
13. TITLE Secretary			
14. DATE SUBMITTED March 4, 2024			
FOR CMS USE ONLY			
16. DATE RECEIVED March 4, 2024		17. DATE APPROVED May 30, 2024	
PLAN APPROVED - ONE COPY ATTACHED			
18. EFFECTIVE DATE OF APPROVED MATERIAL January 1, 2024		19. SIGNATURE OF APPROVING OFFICIAL 	
20. TYPED NAME OF APPROVING OFFICIAL Todd Mcmillion		21. TITLE OF APPROVING OFFICIAL Director, Division of Reimbursement Review	
22. REMARKS <i>The State requests a pen and ink change to box 7</i>			

STATE OF LOUISIANA

PAYMENTS FOR MEDICAL AND REMEDIAL CARE AND SERVICES

METHODS AND STANDARDS FOR ESTABLISHING PAYMENT RATES - OTHER TYPES OF CARE OR SERVICES LISTED IN SECTION 1902 (a) OF THE ACT THAT ARE INCLUDED IN THE PROGRAM, UNDER THE PLAN ARE DESCRIBED AS FOLLOWS:

Nursing Recruitment and Retention Payments under the American Rescue Plan Act

Effective January 1, 2024 through March 31, 2025, the agency will make recruitment and retention payments to eligible providers referenced in Louisiana's American Rescue Plan Act (ARPA) Home and Community Based Services Enhanced Funding Spending Plan that submit an invoice for the prior month and that are listed in Appendix B., or could be listed in Appendix B., of the ARPA, State Medicaid Director Letters, SMDL# 21-003 and SMDL# 22-002, Implementation of American Rescue Plan Act of 2021 Section 9817, including:

1. Nurses that provide extended home health (EHH) services may be eligible to receive recruitment and retention bonuses through March 2025. A nurse is an individual who possesses and maintains a valid license as a licensed practical nurse (LPN) or registered nurse (RN).
2. All payments shall be administered by the home health agency (HHA) that employs the nurse. If a nurse is employed at multiple agencies, only one HHA will pay the recruitment and retention payment.
3. HHAs shall submit an invoice and supporting documentation for each nurse that meets the requirements on a monthly basis, and shall comply with all other requirements established by the Louisiana Department of Health (LDH) to receive a payment.
4. HHAs shall disburse the entire payment to the nurse and are prohibited from reducing the payment for any purpose other than required state or federal withholdings. HHAs that provide the required documentation, comply with all applicable requirements, and have at least one nurse per month receiving a bonus payment will be eligible to invoice LDH for a monthly administrative fee up to \$2,500.
5. Recruitment is the hiring of a new nurse who commits to providing a minimum of 120 hours of EHH services to Fee for Service (FFS) Medicaid eligible beneficiaries under the age of 21 who are in a Medicaid program in each calendar month.
6. Retention is the continuous delivery of at least 120 hours of EHH services, by an existing nurse, to FFS Medicaid eligible beneficiaries each calendar month.
7. A one-time, lump sum payment will be paid to any new nurse or existing nurse who is hired or retained by the HHA and commits to providing a minimum of 120 hours of EHH services to FFS Medicaid eligible beneficiaries and has not received the retention lump sum bonus payment. Each nurse will only receive the lump sum bonus payment once.
8. Nurses who receive the lump sum bonus payment will be eligible to receive a monthly retention payment if they provided at least 120 hours of EHH services to FFS Medicaid eligible beneficiaries during the previous calendar month.

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Except as otherwise noted in the plan, state-developed fee schedule rates are the same for both governmental and private providers of home health services. The agency's fee schedule rate was set as of April 3, 2023 and is effective for services provided on or after that date. All rates are published on the agency's website at www.lamedicaid.com.

The recruitment and retention bonuses for Home Health Nurses will be administered in two parts, a recruitment payment and a retention payment:

Recruitment Payment

Lump Sum Payment

LDH will offer a one-time, lump sum recruitment bonus of \$5,000 to each new nurse that has not received a recruitment or retention bonus from another agency. The threshold for a nurse's entitlement to that bonus is agreeing to work a minimum of 120 hours per month providing nursing services to enrollees under the age of 21.

The nurses eligible for this recruitment bonus will be eligible to collect the retention monthly payments, but not the retention lump sum payment.

The recruitment bonus will be calculated and paid after the nurse has completed one full calendar month of employment. HHAs will submit an invoice showing the beneficiary information to LDH. LDH will isolate the FFS Medicaid eligible beneficiaries and find a percentage based on the total FFS Medicaid eligible beneficiaries submitted on the invoice and calculate the payment.

Retention Payment

1. Lump Sum Payment

Home health nurses will be entitled to a \$5,000 bonus to be paid as a lump sum if they are currently providing at least 120 hours of service to FFS Medicaid eligible beneficiaries under the age of 21.

Nurses who collect the retention lump sum payment will be eligible for the retention monthly payments, but not eligible for the recruitment payment.

The lump sum retention bonus will be calculated and paid based on the most recent full calendar month of employment. HHAs will submit an invoice showing the FFS Medicaid eligible beneficiary information to LDH. LDH will isolate the FFS beneficiaries and find a percentage based on the total FFS Medicaid eligible beneficiaries submitted on the invoice and calculate the payment.

2. Monthly Payments

In addition to the lump sum payment, new and existing nurses will receive a monthly payment of up to \$200 each month if they provide a minimum of 120 hours of nursing services per month to FFS Medicaid eligible beneficiaries under the age of 21. This will be calculated with the same

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methodology as the lump sum payments. LDH will receive an invoice for the prior calendar month's services that a nurse provided to a FFS Medicaid eligible beneficiary, reflecting the amount payable for the month.

Administrative Fee

In accordance with the 9817 Louisiana approved spending plan, federal fiscal year 2023, Q3, Column E, Row 18, the administrative fee will be issued on a monthly basis during the effective period of this program and shall be calculated as such:

HHAs that submit an invoice to LDH with a minimum of one or more nurse(s), who are eligible to receive the recruitment and retention bonus payments, should invoice for an administrative fee. LDH will calculate the number of nurses who serviced FFS beneficiaries and remit payment equal to that percentage of \$2,500 each month to the HHA.

All bonus payments and fees will be calculated using a percentage methodology. For the nurse bonus payments, LDH will total each nurse's hours, individually, and calculate the percentage of those hours that was spent providing services to FFS Medicaid eligible beneficiaries. That same percentage will be applied to the recruitment or retention bonus payments and remitted via FFS.