ACT No. 427

SENATE BILL NO. 130

BY SENATOR CLOUD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1   AN ACT

2   To enact Subpart F of Part VI-A of Chapter 3 of Title 46 of the Louisiana Revised Statutes

3   of 1950, to be comprised of R.S. 46:440.21, relative to Medicaid; to provide for

4   Medicaid eligibility determinations; to provide for Medicaid program integrity

5   measures; to provide for an effective date; and to provide for related matters.

6   Be it enacted by the Legislature of Louisiana:

7   Section 1. Subpart F of Part VI-A of Chapter 3 of Title 46 of the Louisiana Revised

8   Statutes of 1950, comprised of R.S. 46:440.21, is hereby enacted to read as follows:

9   **SUBPART F. MEDICAID PROGRAM INTEGRITY MEASURES**

10   **§440.21. Medicaid program integrity measures**

11   **A. The legislature hereby finds and declares the following:**

12   **(1) It is the policy of this state to protect public benefits for those who are**

13   **truly needy and eligible for such benefits and to prevent waste and fraud from**

14   **limiting available resources and increasing dependency unnecessarily.**

15   **(2) The Medicaid program provides support to needy households and**

16   **persons.**

17   **(3) It is the intent of this Subpart to institute a system of modern and**

18   **comprehensive interagency data cross-checks and to implement other program**

19   **integrity measures available to ensure ongoing eligibility for Medicaid and to**

20   **limit the use of ex parte renewals to the extent allowed.**

21   **B. The Louisiana Department of Health shall adopt the following**

22   **measures to verify ongoing eligibility for Medicaid:**

23   **(1) The Louisiana Department of Health shall not accept eligibility**

24   **determinations for Medicaid from any exchange established under 42 U.S.C.**

1   **18041(c). The Louisiana Department of Health may accept assessments from an**

2   **exchange established under 42 U.S.C. 18041(c), but shall independently verify**

3   **eligibility and make eligibility determinations.**

4   **(2) Neither the Louisiana Department of Health nor any state agency**

5   **that operates as a part of Medicaid may rely solely on ex parte renewals,**

6   **including but not limited to any waiver granted under Section 1902(e)(14)(A)**

7   **of the Social Security Act, unless expressly required by federal law. No later**

8   **than January 1, 2026, the Louisiana Department of Health shall withdraw any**

9   **waivers submitted to the federal government that authorize the department to**

10   **determine or renew eligibility by ex parte renewal.**

11   **(3) Unless required by federal law, the Louisiana Department of Health**

12   **shall not accept self-attestation of Louisiana state residency for initial eligibility**

13   **determinations or renewals. The Louisiana Department of Health may use**

14   **technology and government data sharing to verify income, residency, household**

15   **composition, or receipt of other coverage. The Louisiana Department of Health**

16   **shall not request authority to waive or decline to periodically check any**

17   **available income-related data sources to verify eligibility for Medicaid.**

18   **(4) The Louisiana Department of Health may use an enhanced income**

19   **verification platform to verify recipient eligibility. The Louisiana Department**

20   **of Health may procure and enter into a contract for the platform. The platform**

21   **shall meet all of the following criteria:**

22   **(a) Use automated, real-time data matching and analytics to detect**

23   **unreported or under reported income.**

24   **(b) Consolidate overlapping data to prevent double counting of financial**

25   **records.**

26   **(5) The Louisiana Department of Health shall enter into the following**

27   **data matching agreements to cross-check households enrolled in Medicaid with**

28   **other state data sets as allowed by law:**

29   **(a) On at least a monthly basis, the Louisiana Department of Health shall**

30   **receive and review information from the state registrar of vital records**

Coding: Words which are ~~struck through~~ are deletions from existing law;
words in **boldface type and underscored** are additions.

1   **concerning individuals enrolled in Medicaid that indicates a change in**

2   **circumstances that may affect eligibility for Medicaid, including but not limited**

3   **to death records.**

4   **(b) On at least a quarterly basis, the Louisiana Department of Health**

5   **shall receive and review information from the Louisiana Workforce**

6   **Commission concerning individuals enrolled in Medicaid that indicates a**

7   **change in circumstances that may affect eligibility for Medicaid, including but**

8   **not limited to changes in employment or wages.**

9   **(c) On at least a quarterly basis, the Louisiana Department of Health**

10   **shall receive and review information from the Department of Public Safety and**

11   **Corrections, office of motor vehicles concerning individuals enrolled in**

12   **Medicaid that indicates a change in residency that may affect eligibility for**

13   **Medicaid.**

14   **(d) On at least a semi-annual basis, the Louisiana Department of Health**

15   **shall receive and review information from the Louisiana Department of**

16   **Revenue concerning individuals enrolled in Medicaid that indicates a change in**

17   **circumstances that may affect eligibility for Medicaid, including but not limited**

18   **to potential changes in income, wages, or residency as identified by tax records.**

19   **(e) The Louisiana Department of Health shall implement a platform to**

20   **receive and review information on at least an annual basis concerning**

21   **incarceration status of individuals enrolled in Medicaid.**

22   **(f) On at least a monthly basis, the Louisiana Department of Health shall**

23   **receive and review information from the Social Security Administration**

24   **concerning the disability status of individuals enrolled in Medicaid.**

25   **(6) On at least a quarterly basis, the Louisiana Department of Health**

26   **shall publish on its website, data regarding findings of noncompliance and fraud**

27   **investigations in Medicaid for the following aggregate, nonconfidential, and**

28   **nonpersonally identifying information:**

29   **(a) The number of Medicaid cases investigated for intentional program**

30   **violations or fraud.**

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1   **(b) Total number of Medicaid cases referred to the attorney general's**

2   **office for prosecution.**

3   **(c) Improper payments and expenditures.**

4   **(d) Monies recovered.**

5   **(e) Aggregate data concerning improper payments and ineligible**

6   **recipients as a percentage of those investigated and reviewed.**

7   Section 2. This Act shall become effective upon signature by the governor or, if not

8   signed by the governor, upon expiration of the time for bills to become law without signature

9   by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

10   vetoed by the governor and subsequently approved by the legislature, this Act shall become

11   effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____