

SENATE BILL NO. 182

BY SENATORS TALBOT, BARROW, BOUDREAUX, CARTER, DUPLESSIS, EDMONDS, FESI, HARRIS, HENRY, JACKSON-ANDREWS, JENKINS, LUNEAU, MCMATH, MILLER, OWEN, PRICE, SELDERS, STINE AND WOMACK AND REPRESENTATIVES BERAULT, BILLINGS, WILFORD CARTER, CHASSION, EGAN, FISHER, KNOX, MANDIE LANDRY AND WYBLE

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

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AN ACT

To enact R.S. 46:460.76.3, relative to Medicaid prior authorization during a declared emergency; to authorize the Louisiana Department of Health to suspend prior authorization requirements for certain Medicaid recipients during a declared emergency; to require payments to certain providers without prior authorization; to provide for documentation; to provide for notification to Medicaid recipients; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:460.76.3 is hereby enacted to read as follows:

§460.76.3. Prior authorization; suspension during state of emergency

A. During a state of emergency declared by the governor, the Louisiana Department of Health may suspend utilization management requirements, including but not limited to prior authorization and concurrent review requirements for the Medical Assistance Program to ensure uninterrupted access to medically necessary healthcare services, including diagnostics, treatments, medications, and supportive services.

B. Any Medicaid managed care organization, pharmacy benefit manager, or entity responsible for fee-for-service claims processing shall reimburse providers for medically necessary drugs, services, equipment, supplies, and therapies provided to Medicaid recipients during the emergency without requiring prior authorization. Any Medicaid managed care

1 organization, pharmacy benefit manager, or entity responsible for fee-for-
 2 service claims processing shall reimburse any out-of-state provider that
 3 provided essential medical care to a Louisiana Medicaid recipient who
 4 evacuated out of state, whether voluntarily or involuntarily, without requiring
 5 prior authorization.

6 C. The prior authorization suspension provided for in this Section shall
 7 only apply to Medicaid recipients who reside within the designated emergency
 8 area.

9 D. The Medicaid managed care organizations shall notify Medicaid
 10 recipients of prior authorization suspensions, uninterrupted care access, and
 11 rights during emergencies. Notifications should be distributed through
 12 healthcare providers, community outreach, and online platforms to ensure all
 13 patients, especially vulnerable or displaced individuals, are aware of the
 14 provisions of this Section and can make informed decisions about their care.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____