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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christine Arbo Peck.

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DIGEST

SB 169 Original

2020 Regular Session

Fred Mills

Proposed law provides that LDH shall implement a facility need review process for home- and community-based service providers, adult day healthcare providers, hospice providers or inpatient hospice facilities, pediatric day healthcare facilities, behavioral health services providers that provide psychosocial rehabilitation or community psychiatric support and treatment services, and opioid treatment programs licensed under a behavioral health services provider license.

Proposed law establishes an FNR committee comprised of the secretary of LDH, the assistant secretary of the office of behavioral health of LDH, the assistant secretary of the office for citizens with developmental disabilities of LDH, the assistant secretary of the office of aging and adult services of LDH, the assistant secretary of the office of public health of LDH, the Medicaid director of LDH, the Medicaid medical director of LDH. Proposed law allows committee members to appoint a designee.

Proposed law provides for the facility need review application process and FNR committee procedure, including the right to request an in-person presentation if an applicant is initially rejected or denied or the opportunity to appeal to the division of administrative law.

Proposed law provides that if the FNR committee approves the facility need review application, then the applicant may proceed with seeking licensure.

Proposed law provides for rulemaking by LDH to include requirements and criteria for both the applicant to follow in seeking facility need review and the FNR committee in determining whether to approve, reject, or deny the application.

Proposed law provides that no healthcare provider subject to facility need review shall be licensed or be certified to participate in the Medicaid program without first obtaining facility need review approval. Proposed law provides that any person establishing, managing, or operating a new facility, provider, program, service, or bed without facility need review approval shall be prohibited from being licensed by the department and shall be prohibited from participating in the Medicaid program.

Effective August 1, 2020.

(Adds R.S. 40:2116.1)