

1 §1248.3. Applicability

2 The provisions of this Subpart shall apply exclusively to the following
3 parishes:

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5 (3) Any parish ~~in which a rural institutional provider is located~~ with a
6 population of not less than forty-two thousand persons and not more than forty-five
7 thousand persons according to the most recent federal decennial census.

8 (4) Any parish with a population of not less than thirty-three thousand five
9 hundred persons and not more than thirty-five thousand persons according to the
10 most recent federal decennial census.

11 (5) Any parish with a population of not less than eighty thousand persons
12 and not more than ninety thousand persons according to the most recent federal
13 decennial census.

14 (6) Any parish with a population of not less than fifty-two thousand three
15 hundred persons and not more than fifty-two thousand seven hundred persons
16 according to the most recent federal decennial census.

17 §1248.4. Parish healthcare provider participation program

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19 D. ~~Any parishes authorized by R.S. 40:1248.3 to establish a local provider~~
20 ~~participation fund may, upon agreement of the governing authorities of each parish,~~
21 ~~establish a single fund for the benefit of those parishes and a local hospital~~
22 ~~assessment applicable to the institutional providers in those parishes.~~ The governing
23 bodies of parishes authorized by R.S. 40:1248.3 to establish a local provider
24 participation fund are authorized and empowered, upon their own initiative, to form
25 and create one or more hospital assessment districts within the respective parishes,
26 or, with agreement among governing bodies of parishes concerned, to combine two
27 or more parishes into a single hospital assessment district with such names as the
28 governing bodies of the parishes may designate. The governing bodies of the
29 parishes are further authorized and empowered, upon their own initiative, to alter the
30 boundaries of any hospital assessment district, provided that no such boundary

1 change shall cause an impairment of the obligations of any contract of the hospital
2 assessment district.

3 §1248.5. Powers and duties of parishes; limitations; inspection of provider records

4 A. The governing body of a parish may require a local hospital assessment
5 payment authorized by this Subpart from ~~an~~ any institutional provider in the parish.
6 The requirement for payment shall be implemented in the manner provided for in
7 this Section.

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9 §1248.7. Local provider participation fund; authorized uses

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11 C. Monies in the local provider participation fund may be used only for one
12 or more of the following purposes:

13 (1) To fund intergovernmental transfers from a parish to the state to provide
14 the nonfederal share of a Medicaid payment program ~~of Medicaid payments for the~~
15 ~~benefit of rural institutional providers or other hospitals in the parish authorized~~
16 ~~under the Medicaid state plan.~~

17 * * *

18 §1248.8. Local hospital assessment payments; basis; calculation

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20 D. Subject to the maximum payment amount prescribed in Subsection C of
21 this Section, a parish that collects a local hospital assessment payment authorized by
22 this Subpart shall set local hospital assessment payments in amounts that in the
23 aggregate will generate sufficient revenue to cover the administrative expenses of the
24 parish for activities provided for in this Subpart and to fund the nonfederal share of
25 a Medicaid ~~base rate~~ payment program; except that the amount of revenue from local
26 hospital assessment payments used for administrative expenses of the parish for
27 activities provided for in this Subpart in a year may not exceed five percent of the
28 total revenue generated from the local hospital assessment payment or twenty
29 thousand dollars, whichever is greater.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 453 Original

2021 Regular Session

Deshotel

Abstract: Expands eligibility for a hospital assessment and intergovernmental transfer program within Medicaid and revises other provisions pertaining to the program.

Present law provides that, for its purposes, "rural institutional provider" means a hospital, other than one defined in the Rural Hospital Preservation Act (R.S. 40:1189.3 of present law), that is licensed by the Louisiana Department of Health (LDH), has no more than 60 beds on November 1, 2020, and meets any of the following criteria:

- (1) Is located in a municipality with a population of between 7,000 and 7,500 according to the most recent federal decennial census and in a parish with a population of between 30,000 and 35,000 according to that census (Ville Platte in Evangeline Parish).
- (2) Is located in a municipality with a population of between 10,000 and 10,500 according to the most recent federal decennial census and in a parish with a population of between 80,000 and 90,000 according to that census (Eunice in St. Landry Parish).
- (3) Is located in a municipality with a population of between 3,000 and 3,500 according to the most recent federal decennial census and in a parish with a population of between 30,000 and 35,000 according to that census (Mamou in Evangeline Parish and Welsh in Jefferson Davis Parish).

Proposed law revises present law to provide that, for its purposes, "rural institutional provider" means an acute care hospital, other than one defined in the Rural Hospital Preservation Act (R.S. 40:1189.3 of present law), that is licensed by LDH and meets any of the following criteria:

- (1) Is located in a parish with a population of between 33,500 and 35,000 according to the most recent federal decennial census (Evangeline Parish).
- (2) Is located in a parish with a population of between 80,000 and 90,000 according to the most recent federal decennial census (St. Landry Parish).
- (3) Is located in a parish with a population of between 46,000 and 47,000 according to the most recent federal decennial census (Lincoln Parish).
- (4) Is located in a parish with a population of between 40,000 and 42,000 according to the most recent federal decennial census (Webster Parish).

Present law applies exclusively to the following five parishes:

- (1) Any parish with a population of not less than 40,000 persons and not more than 42,000 persons according to the most recent federal decennial census (Webster Parish).
- (2) Any parish with a population of not less than 46,000 persons and not more than 47,000 persons according to the most recent federal decennial census (Lincoln Parish).

- (3) Any parish in which a rural institutional provider, as defined by present law, is located (Evangeline, Jefferson Davis, and St. Landry parishes).

Proposed law revises present law such that present law and proposed law would apply exclusively to the following six parishes:

- (1) Any parish with a population of not less than 40,000 persons and not more than 42,000 persons according to the most recent federal decennial census (Webster Parish).
- (2) Any parish with a population of not less than 46,000 persons and not more than 47,000 persons according to the most recent federal decennial census (Lincoln Parish).
- (3) Any parish with a population of not less than 42,000 persons and not more than 45,000 persons according to the most recent federal decennial census (Avoyelles Parish).
- (4) Any parish with a population of between 33,500 and 35,000 according to the most recent federal decennial census (Evangeline Parish).
- (5) Any parish with a population of between 80,000 and 90,000 according to the most recent federal decennial census (St. Landry Parish).
- (6) Any parish with a population of not less than 52,300 persons and not more than 52,700 persons according to the most recent federal decennial census (Vernon Parish).

Present law authorizes eligible parishes to collect local hospital assessment payments and create special accounts known as "local provider participation funds". Provides that monies in such funds may consist of these assessment payments and other funding as authorized by present law. Stipulates that the monies in local provider participation funds may only be used for certain purposes including the funding of intergovernmental transfers from a parish to the state to provide the nonfederal share of Medicaid payments for the benefit of rural institutional providers or other hospitals in the parish authorized under the state Medicaid plan. Proposed law retains present law.

Proposed law repeals present law providing that any parishes authorized by present law to establish a local provider participation fund may, upon agreement of the governing authorities of each parish, establish a single fund for the benefit of those parishes and a local hospital assessment applicable to the institutional providers in those parishes.

Proposed law provides that the governing bodies of parishes authorized by proposed law to establish a local provider participation fund are authorized and empowered, upon their own initiative, to form and create one or more hospital assessment districts within the respective parishes; or, with agreement among governing bodies of parishes concerned, to combine two or more parishes into a single hospital assessment district. Authorizes the governing bodies of the parishes to alter the boundaries of any hospital assessment district, provided that no such boundary change shall cause an impairment of the obligations of any contract of the hospital assessment district.

(Amends R.S. 40:1248.1(6), 1248.3(3), 1248.4(D), 1248.5(A), 1248.7(C)(1), and 1248.8(D); Adds R.S. 40:1248.1(7) and 1248.3(4)-(6))