

2022 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 40

BY REPRESENTATIVE TURNER

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Health to study the actual costs of providing nursing services in the Medicaid-funded New Opportunities Waiver and Residential Options Waiver programs and to residents of intermediate care facilities for persons with intellectual and developmental disabilities; to identify potential means for fully funding nursing services for persons served by these programs and facilities; and to report its findings to certain legislative committees.

WHEREAS, nurses are critical members of the care teams of persons with intellectual and developmental disabilities who receive home- and community-based services through the Medicaid waiver programs known as the New Opportunities Waiver (NOW Waiver) and Residential Options Waiver (ROW Waiver); and

WHEREAS, nurses are indispensable to these care teams and to Medicaid waiver service recipients because they provide needed nursing care to recipients and also deliver mandatory training required for, and key support to, the direct support professionals who provide the majority of the recipients' services; and

WHEREAS, intermediate care facilities for persons with intellectual and developmental disabilities, known commonly as ICFs, are Medicaid-funded residential facilities at which children and adults with special needs receive individualized health care and habilitation services; and

WHEREAS, state licensing regulations for disability services providers, including ICFs and NOW Waiver and ROW Waiver service providers, require that these providers employ, contract with, or otherwise assure access to all necessary professional staff to meet

the needs of each service recipient as identified and addressed in the recipient's individualized service plan; and

WHEREAS, such professional staff may include, without limitation, licensed practical nurses, registered nurses, and other health professionals; and

WHEREAS, the current reimbursement rates for nursing services for ICF residents and in the NOW Waiver and ROW Waiver programs do not cover the full cost of providing these required services.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana Department of Health to determine, through provider surveys and any other appropriate methods, the actual costs of providing nursing services in the NOW Waiver and ROW Waiver programs and to residents of intermediate care facilities for persons with intellectual and developmental disabilities.

BE IT FURTHER RESOLVED that the department shall study all potential means for increasing Medicaid reimbursement rates for nursing services paid to providers in the NOW Waiver and ROW Waiver programs and to intermediate care facilities for persons with intellectual and developmental disabilities.

BE IT FURTHER RESOLVED that the department shall submit its findings from the efforts called for in this Resolution in the form of a report to the House Committee on Appropriations, the Senate Committee on Finance, the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the Joint Medicaid Oversight Committee, and the David R. Poynter Legislative Research Library no later than sixty days prior to the convening of the 2023 Regular Session of the Legislature of Louisiana.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Louisiana Department of Health.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE