

2023 Regular Session

HOUSE RESOLUTION NO. 173

BY REPRESENTATIVES BUTLER AND ECHOLS

MEDICAID: Directs the La. Dept. of Health to report statistics on abuse and neglect in certain Medicaid programs

1 A RESOLUTION

2 To direct the Louisiana Department of Health to report information, including statistics, on
3 abuse and neglect in certain Medicaid programs.

4 WHEREAS, the Louisiana Department of Health (LDH) defines abuse as the
5 infliction of physical or mental injury, or actions which may reasonably be expected to
6 inflict physical injury, on an adult by other parties; and

7 WHEREAS, LDH also defines neglect as the failure, by a caregiver responsible for
8 an adult's care or by other parties, to provide the proper or necessary support or medical,
9 surgical, or any other care necessary for his well-being; and

10 WHEREAS, according to LDH, the integrity of the Medicaid program in this state
11 is protected by its abuse policies; and

12 WHEREAS, the LDH website provides detailed descriptions of activities that may
13 be considered abusive in accordance with Louisiana law and otherwise; and

14 WHEREAS, there is a multitude of Medicaid-related health programs in this state;
15 and

16 WHEREAS, Medicaid is the primary health insurance provider for many individuals
17 with disabilities; and

18 WHEREAS, such individuals rely heavily on the Medicaid program in this state and
19 the caregivers and additional support provided by such programs; and

20 WHEREAS, such individuals may require a significant amount of medical attention
21 and daily living assistance as they are unable to care for themselves; and

1 WHEREAS, ensuring the safety of such individuals in this state is of the utmost
2 importance to the Legislature of Louisiana and the citizens of this state; and

3 WHEREAS, the statistics of such programs are indicative of the effectiveness and
4 efficiency of the Medicaid program in this state; and

5 WHEREAS, it is the duty of the Legislature of Louisiana to ensure the integrity of
6 Medicaid program in this state and the practices of the program to ensure the safety of
7 recipients of such services.

8 THEREFORE, BE IT RESOLVED that the House of Representatives of the
9 Legislature of Louisiana does hereby direct the Louisiana Department of Health to report
10 information, including statistics, on abuse and neglect in certain Medicaid programs.

11 BE IT FURTHER RESOLVED that the statistics shall include information from the
12 governor's office of disability affairs, the Medicaid waiver programs in this state, and
13 facilities that provide home- and community-based living services in this state.

14 BE IT FURTHER RESOLVED that the information included in the report shall
15 contain statistics from January 1, 2021, to December 31, 2022.

16 BE IT FURTHER RESOLVED that the information required by this Resolution shall
17 include all of the following information:

18 (1) The existing rules promulgated to address claims of abuse and neglect for the
19 state's Medicaid program.

20 (2) A detailed list of the reported abuse and neglect claims.

21 (3) A detailed list of the additional rules promulgated in response to the reported
22 claims.

23 BE IT FURTHER RESOLVED that on or before February 1, 2024, the Louisiana
24 Department of Health shall submit to the House Committee on Health and Welfare and the
25 David R. Poynter Legislative Research Library a written report of its findings.

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

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)]

HR 173 Original

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