

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 199

2019 Regular Session

Horton

MEDICAID: Establishes the TEFRA option within the La. Medicaid program to serve children with disabilities

Synopsis of Senate Amendments

1. Deletes from proposed law all of the following requirements:
 - (a) The La. Department of Health (LDH) shall develop and submit to the federal Medicaid agency a Medicaid state plan amendment in order to implement the TEFRA option program.
 - (b) LDH shall establish the eligibility factors and benefits of the TEFRA option program in accordance with the requirements of proposed law.
2. Deletes all requirements for and references to LDH developing a Medicaid state plan amendment.
3. Requires that, subject to approval by the federal Medicaid agency, LDH begin a program within Medicaid to provide health care services for the population contemplated under Section 134 of the Tax Equity and Fiscal Responsibility Act of 1982.
4. Extends the deadline by which LDH shall submit to the federal Medicaid agency the documentation required by proposed law from Jan. 1, 2020 to June 1, 2020.

Digest of Bill as Finally Passed by Senate

Proposed law indicates that its purpose is to provide for the TEFRA option within the Medicaid program of this state through which children with disabilities can access Medicaid-funded services regardless of their parents' income.

Proposed law defines "TEFRA option" as the program authorized under Section 134 of the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") which furnishes Medicaid benefits to children with disabilities who are otherwise ineligible for such benefits because the income of their household exceeds state-established limits for Medicaid eligibility.

Proposed law requires the La. Department of Health (LDH), subject to approval by the federal Medicaid agency, to begin a program within Medicaid to provide health services for the population contemplated under Section 134 of TEFRA. Requires that LDH submit the proposed TEFRA option program to the federal Medicaid agency on or before June 1, 2020.

Proposed law stipulates that the TEFRA option shall offer coverage exclusively through the Medicaid fee-for-service system unless LDH determines that offering TEFRA option coverage to persons enrolled in the Medicaid managed care program would be more cost-effective.

Proposed law provides that in order to be eligible for the TEFRA option, a child shall meet all of the following criteria:

- (1) He is a La. resident and U.S. citizen.

- (2) He is under the age of 19.
- (3) He has a disability that is recognized under the definition of disability utilized in the Supplemental Security Income program of the Social Security Administration, regardless of whether he is eligible to receive benefits under that program.
- (4) He is ineligible for Medicaid coverage when the income of his parents is considered.
- (5) Excluding the assets of his parents, he does not have total assets exceeding \$2,000 in value.
- (6) Due to his disability, he requires a level of care provided in a hospital, skilled nursing facility, or intermediate care facility; however, care provided outside of such an institution may be appropriate.
- (7) The cost of his care provided at his home is less than the cost of institutional care.

Proposed law requires that the TEFRA option provide to eligible children coverage for all Medicaid state plan services.

Proposed law requires that to the maximum extent practicable, as determined by the secretary of LDH, the department shall include TEFRA option beneficiaries in its health insurance premium payment program as a means of maximizing private health insurance coverage of Medicaid enrollees.

(Adds R.S. 46:977.21-977.25)