

RÉSUMÉ DIGEST

ACT 421 (HB 199)

2019 Regular Session

Horton

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

New 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.

New 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.

New 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.

New 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.

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

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

Effective August 1, 2019.

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