

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 169** SLS 20RS 97

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: March 10, 2020 2:24 PM	Author: MILLS, FRED
Dept./Agy.: LDH/Medicaid	Analyst: Shawn Hotstream
Subject: facility need review	

HEALTH SERVICES OR INCREASE SG RV See Note Page 1 of 1
Provides relative to facility need review. (8/1/20)

Proposed law requires LDH to implement a facility need review process to determine the need for a new/additional facility, provider, program, or service for the following: a) Home and community-based service providers (with exceptions); b) Adult day healthcare providers; c) Hospice providers or inpatient hospice facilities; d) Pediatric day healthcare facilities; e) Behavioral health services providers that provide psychosocial rehabilitation or community psychiatric support and treatment services; and f) Opioid treatment programs licensed under a behavioral health services provider license.

Proposed law authorizes LDH to appoint members to a new facility need review (FNR) committee (consisting of specific employees of the department) to review applications, and authorizes additional members of the FNR committee when reviewing opioid treatment programs.

Proposed law provides for a FNR application process. In the event of a rejection of an application, an applicant may request an administrative appeal of the FNR's decision with the Division of Administrative Law in accordance with the Administrative Procedure Act. Proposed law includes provisions for judicial review from the decision rendered after an administrative appeal.

EXPENDITURES	2020-21	2021-22	2022-23	2023-24	2024-25	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2020-21	2021-22	2022-23	2023-24	2024-25	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total						

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on LDH expenditures as a result of this measure. LDH indicates workload associated with this measure will be conducted with existing staff and resources.

Note: The Division of Administrative Law anticipates no additional costs from appeals, as the agency has existing staff solely dedicated to health facility need reviews. To the extent that the proposed law increases the number of lawsuits filed in district courts, an indeterminable increase in court costs associated with judicial workload, time and attendance (presence of judges, clerks, bailiffs, counsel, etc.) may result.

REVENUE EXPLANATION

There is a current facility need review (FNR) application fee for all providers listed in this measure, excluding opioid treatment facilities. This measure could result in additional application fees paid to LDH for applications from opioid treatment facilities seeking facility need review. The current FNR application fee is \$200.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

Evan Brasseaux
Staff Director