

2020 Regular Session

HOUSE BILL NO. 838

BY REPRESENTATIVE LYONS

MEDICAID MANAGED CARE: Provides relative to nonemergency medical transportation services delivered through the Medicaid managed care program

1 AN ACT

2 To enact R.S. 40:1253.2(A)(1)(m) and Subpart E of Part XIII of Chapter 3 of Title 46 of the
3 Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:460.101 and
4 460.102, relative to the state medical assistance program known commonly as
5 Medicaid; to provide relative to nonemergency medical transportation services; to
6 provide for content to be included in the annual report by the Louisiana Department
7 of Health on the Medicaid managed care program; to require disclosure of payment
8 amounts to certain providers, brokers, and third-party administrators; to provide for
9 administration of nonemergency medical transportation services by Medicaid
10 managed care organizations; to provide requirements for contracts between the
11 Louisiana Department of Health and managed care organizations; to require
12 administrative rulemaking by the Louisiana Department of Health; and to provide
13 for related matters.

14 Be it enacted by the Legislature of Louisiana:

15 Section 1. R.S. 40:1253.2(A)(1)(m) is hereby enacted to read as follows:

16 §1253.2. Medicaid managed care program; reporting

17 A. The Louisiana Department of Health shall submit an annual report
18 concerning the Louisiana Medicaid managed care program and, if not included
19 within that program, any managed care program providing dental benefits to
20 Medicaid enrollees to the senate and house committees on health and welfare. The

1 department shall submit the report by June thirtieth every year, and the applicable
2 reporting period shall be for the previous state fiscal year except for those measures
3 that require reporting of health outcomes which shall be reported for the calendar
4 year prior to the current state fiscal year. The report shall include:

5 (1) Except when inapplicable due to the types of healthcare benefits
6 administered by the particular managed care organization, the following information
7 related to the managed care organizations contracted with the state to provide
8 Medicaid-covered healthcare services to Medicaid enrollees:

9 * * *

10 (m)(i) The total amount of payments by each managed care organization to
11 nonemergency medical transportation providers, itemized by provider.

12 (ii) The total amount of payments by each managed care organization to
13 transportation brokers and third-party administrators in the nonemergency medical
14 transportation program, itemized by payee.

15 * * *

16 Section 2. Subpart E of Part XIII of Chapter 3 of Title 46 of the Louisiana Revised
17 Statutes of 1950, comprised of R.S. 46:460.101 and 460.102, is hereby enacted to read as
18 follows:

19 SUBPART E. TRANSPORTATION PROGRAM

20 §460.101. Nonemergency medical transportation; administration by managed care
21 organizations; contractual requirements

22 A.(1) The department shall require by contract with each managed care
23 organization that if the managed care organization hires or subcontracts with any
24 transportation broker or third-party administrator for the administration of any aspect
25 of its nonemergency medical transportation program, then that broker or
26 administrator shall have its call center located in Louisiana.

27 (2) Each managed care organization that hires or subcontracts with any
28 transportation broker or third-party administrator for the administration of any aspect

1 of its nonemergency medical transportation program shall require that the broker or
2 administrator have minority business partnerships with its call center.

3 B. The department shall require by contract with each managed care
4 organization that the managed care organization, and any transportation broker or
5 third-party administrator with which the organization subcontracts for the
6 administration of any aspect of its nonemergency medical transportation program,
7 report to the department the reimbursement rates and total payments made to
8 individual providers of nonemergency medical transportation services.

9 C. In order to ensure fair competition among providers on a regional basis,
10 the department shall limit nonemergency medical transportation services rendered
11 by an individual provider to a specific geographic region of the state. The
12 department, through its contracts with managed care organizations, shall provide for
13 penalties to be assessed to transportation brokers and third-party administrators that
14 send, or attempt to send, a nonemergency medical transportation provider to render
15 services outside of its designated region.

16 §460.102. Administrative rulemaking

17 The department shall promulgate all rules and regulations in accordance with
18 the Administrative Procedure Act as may be necessary to implement the provisions
19 of this Subpart.

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)]

HB 838 Original

2020 Regular Session

Lyons

Abstract: Provides for regulations and requirements concerning nonemergency medical transportation services delivered through the Medicaid managed care program and for reports on the funding of such services.

Present law requires the La. Department of Health (LDH) to submit an annual report concerning the Medicaid managed care program, known commonly as the "managed care transparency report", to the legislative committees on health and welfare. Establishes requirements for the content of the report.

Proposed law retains present law and adds thereto a requirement that the annual managed care transparency report include the following:

- (1) The total amount of payments by each managed care organization (MCO) to nonemergency medical transportation (NEMT) providers, itemized by provider.
- (2) The total amount of payments by each MCO to transportation brokers and third-party administrators in the NEMT program, itemized by payee.

Proposed law provides that LDH shall require by contract with each MCO that if the MCO hires or subcontracts with any transportation broker or third-party administrator for the administration of any aspect of its NEMT program, then that broker or administrator shall have its call center located in Louisiana.

Proposed law provides that each MCO that hires or subcontracts with any transportation broker or third-party administrator for the administration of any aspect of its NEMT program shall require that the broker or administrator have minority business partnerships with its call center.

Proposed law provides that LDH shall require by contract with each MCO that the MCO, and any transportation broker or third-party administrator with which the MCO subcontracts for the administration of any aspect of its NEMT program, report to the department the reimbursement rates and total payments made to individual providers of NEMT services.

Proposed law stipulates that in order to ensure fair competition among providers on a regional basis, LDH shall limit NEMT services rendered by an individual provider to a specific geographic region of the state. Requires LDH, through its contracts with MCOs, to provide for penalties to be assessed to transportation brokers and third-party administrators that send, or attempt to send, a NEMT provider to render services outside of its designated region.

(Adds R.S. 40:1253.2(A)(1)(m) and R.S. 46:460.101 and 460.102)