

RÉSUMÉ DIGEST

ACT 347 (SB 166)

2020 Regular Session

Hewitt

Prior law provided for the duties of the Health and Social Services Estimating Conference to develop such official information relating to the health and social service system of the state, including forecasts of social and health service caseloads, as the conference determines is needed for the state planning and budgeting system.

New law retains prior law and provides for the exclusion of the Medicaid program from the duties of the Health and Social Services Estimating Conference.

New law repeals prior law providing for the Medicaid Subcommittee of the Health and Social Services Estimating Conference.

Prior law provided that the Medicaid Subcommittee is responsible for developing forecasts and reviewing information related to the Medicaid Program, including the number of Medicaid enrollees, eligibility criteria, rate of utilization, and growth in the cost of services, provider reimbursement methodologies, and the factors used in developing the per-member-per-month premiums paid to the Medicaid managed care companies.

Prior law provided that the Medicaid Subcommittee be composed of the following persons:

- (1) One member of the professional staff of the division of administration to be appointed by the commissioner of administration.
- (2) One member of the professional staff of the legislature who shall have fiscal expertise to be appointed by the Senate president.
- (3) One member of the professional staff of the legislature who shall have fiscal expertise to be appointed by the House speaker.
- (4) One member of the professional staff of DHH (now LDH) who shall have forecasting expertise to be appointed by the secretary of DHH.
- (5) The legislative fiscal officer, or his designee who shall have health care experience.
- (6) A faculty member specializing in health care economics to be selected by members of the conference.

Prior law provided that the chairmanship of the subcommittee rotate biennially among the professional legislative staff appointed by the Senate president and the House speaker.

Prior law provided that the subcommittee is to meet as follows:

- (1) In September, to establish an initial forecast for the ensuing fiscal year which shall be utilized by DHH in formulating its budget request.
- (2) In December, to revise the forecast for the ensuing fiscal year which shall be utilized in the preparation of the executive budget recommendations by the state budget office.
- (3) In April, to revise the forecast for the ensuing fiscal year which shall be utilized by the legislature in its adoption of a state budget for the ensuing fiscal year.
- (4) In July, to discuss the forecast for the current fiscal year as compared to the current year appropriation.

Prior law provided that the subcommittee submits a summary report to the conference of topics discussed and any actions taken.

Prior law provided that the subcommittee shall submit the Medicaid forecast to the Joint Legislative Committee on the Budget (JLCB) for its review. The chairman of the JLCB must

place the presentation of the Medicaid forecast on the agenda for discussion at the next month's meeting following the submission by the subcommittee.

New law creates the Medicaid Estimating Conference and provides for its duties to develop the official forecast of the Medicaid program for the purposes of budget development and enactment each fiscal year and development of the five-year baseline budget projection relative to the Medicaid Program.

New law provides that the Medicaid forecast shall be adopted by a favorable vote of two-thirds of the conference's members.

New law provides for the principals, or membership, of the conference:

- (1) The Senate president, or his designee from the membership of the Senate.
- (2) The House speaker, or his designee from the membership of the House of Representatives.
- (3) The chairman of the Senate Committee on Finance, or his designee from the membership of the committee.
- (4) The chairman of the House Committee on Appropriations, or his designee from the membership of the committee.
- (5) The chairman of the Senate Committee on Health and Welfare, or his designee from the membership of the committee.
- (6) The chairman of the House Committee on Health and Welfare, or his designee from the membership of the committee.
- (7) The commissioner of administration, or his designee.
- (8) The secretary of the Louisiana Department of Health (LDH), or his designee.
- (9) A faculty member specializing in health care economics from a public or private university in the state, selected by the other principal members, from a list of as many as five, but not less than three names, submitted to them by the Board of Regents.

New law provides for the chairmanship of the conference to rotate biennially among the Senate president, or his designee, and the House speaker, or his designee, beginning with the Senate president, or his designee.

New law provides for the participants that may provide information for the conference's consideration in developing its forecasts:

- (1) A member of the professional staff of LDH specializing in health care economics and possessing experience forecasting health care expenditures to be designated by the secretary of LDH.
- (2) A member of the professional staff of the legislative fiscal office specializing in health care economics and possessing experience forecasting health care expenditures to be designated by the legislative fiscal officer.
- (3) Members of the professional staff of the Senate, House of Representatives, legislative fiscal office, or division of administration with fiscal expertise on the Medicaid program.
- (4) Members of the professional staff of LDH with expertise on the administering, operating, or financing of the Medicaid program.
- (5) Any other person invited to participate in the conference by a principal.

New law provides that the conference is to meet at least three times per fiscal year to ensure that the forecast is utilized by the division of administration in the development of the

budget, the legislature in the enactment of the budget, and the division of administration and JLCB in the determination of expenditures to include in the development of the five-year baseline budget projection relative to the Medicaid Program.

New law provides for the conference to go into executive session to discuss records or matters entitled to confidential status by existing state or federal laws, upon approval by a majority of the principals in attendance.

New law provides for the Senate president to designate a member of the Senate professional staff with fiscal expertise on the Medicaid program and for the House speaker to designate a member of the House professional staff with fiscal expertise on the Medicaid program to staff the conference.

New law provides for the conference to submit each adopted forecast to the JLCB for its review. The chairman of the JLCB shall then place the presentation of the Medicaid forecast on the agenda for discussion at the next month's regular meeting following the submission by the conference.

Effective upon signature of the governor (June 12, 2020).

(Amends R.S. 39:21.3(E)(1); adds R.S. 39:21.3(H); repeals R.S. 39:21.3(E)(4) and (5))