
DIGEST

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HB 186 Original

2021 Regular Session

Bacala

Abstract: Requires interagency agreements between the La. Dept. of Health and the Dept. of Revenue, and between the La. Dept. of Health and the Dept. of Children and Family Services, relative to administration of the Medicaid and child support enforcement programs.

Present law provides for powers and duties of the secretary of the La. Dept. of Health (LDH). Proposed law retains present law and adds thereto requirements that the secretary of LDH cause the department to enter into the agreements with the Dept. of Revenue (LDR) and the Dept. of Children and Family Services (DCFS) provided for in proposed law.

Proposed law requires LDR and LDH to enter into annual memoranda of understanding, cooperative endeavors, or other types of agreements for Medicaid program integrity functions that conform with the requirements of proposed law.

Proposed law stipulates that the agreements between LDR and LDH shall require LDH to furnish to LDR identifying information of each child who is enrolled in the Medicaid program of this state and identifying information of the custodial parent or parents of each such Medicaid-enrolled child.

Proposed law requires LDR to examine income tax returns to identify any Medicaid-enrolled child who is claimed as a dependent by someone other than a custodial parent of the child. Requires that LDR identify each such child to LDH.

Proposed law provides that each agreement that LDR and LDH enter into pursuant to proposed law shall set forth standards and protocols for the transfer of data required by proposed law.

Proposed law requires that on or before Jan. 1, 2022, and annually thereafter, LDR shall report to the legislature all of the following data, which shall consist of statistical information exclusively and contain no identifying information of any individual:

- (1) The number of children enrolled in Medicaid who are claimed as dependents by someone other than a custodial parent.
- (2) With respect to children enrolled in Medicaid who are claimed as dependents by someone other than the custodial parent, the number of such children who are claimed as dependents by tax filers who have federal adjusted gross income in each of the following ranges:
 - (a) Less than \$20,000.

- (b) At least \$20,000 but less than \$30,000.
- (c) At least \$30,000 but less than \$40,000.
- (d) At least \$40,000 but less than \$50,000.
- (e) At least \$50,000 but less than \$60,000.
- (f) At least \$60,000 but less than \$70,000.
- (g) At least \$70,000 but less than \$80,000.
- (h) At least \$80,000 but less than \$90,000.
- (i) At least \$90,000 but less than \$100,000.
- (j) \$100,000 or more.

Proposed law requires DCFS and LDH to enter into annual memoranda of understanding, cooperative endeavors, or other types of agreements as may be necessary to implement a program wherein payments collected through the state child support enforcement program are used to offset state Medicaid costs.

Proposed law provides that with respect to child support and cash medical support payments collected from any noncustodial parent of a child or children enrolled in the state Medicaid program, DCFS shall determine the maximum amount of such payments that may be remitted to LDH for the purpose of offsetting the state share of Medicaid program costs for all Medicaid-enrolled children of the noncustodial parent.

Proposed law provides that the agreements between DCFS and LDH required by proposed law shall provide for remittance by DCFS to LDH, in connection with the case of each noncustodial parent of a child or children enrolled in the state Medicaid program, of either of the following amounts:

- (1) The maximum amount of child support and cash medical support payments that may be remitted to LDH to offset Medicaid costs if the amount is less than the state share of Medicaid costs for all Medicaid-enrolled children of the noncustodial parent.
- (2) An amount equal to the state share of Medicaid program costs for all Medicaid-enrolled children of the noncustodial parent.

Proposed law stipulates that the agreements between DCFS and LDH required by proposed law shall provide for an annual incentive payment by LDH to DCFS in an amount that does not exceed 15% of the total of remittances to offset state Medicaid costs made under the prior agreement.

(Adds R.S. 36:254(D)(2)(e) and (f) and 460 and R.S. 46:236.1.1(17) and 236.9.1)