

HOUSE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 108 by Senator Luneau

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" delete the remainder of the line and insert in lieu thereof
3 "R.S. 40:2162(D)(2)(a) and R.S. 46:460.51(1) and 460.61 and to enact R.S. 46:460.77.3,"

4 AMENDMENT NO. 2

5 On page 1, line 3, after "relative to" delete the remainder of the line and insert in lieu thereof
6 "the Medicaid managed care program; to provide relative to mental health rehabilitation
7 services delivered through the program; to provide relative to Medicaid-covered specialized
8 behavioral health rehabilitation services;"

9 AMENDMENT NO. 3

10 On page 1, at the beginning of line 4, delete "minimum requirements;"

11 AMENDMENT NO. 4

12 On page 1, line 5, after "credentialing;" delete the remainder of the line and at the beginning
13 of line 6 delete "adverse determinations;"

14 AMENDMENT NO. 5

15 On page 1, after line 8, delete the remainder of the page and delete page 2 in its entirety and
16 on page 3 delete lines 1 through 17 in their entirety and insert in lieu thereof the following:

17 "Section 1. R.S. 40:2162(D)(2)(a) is hereby amended and reenacted to read as
18 follows:

19 §2162. Specialized behavioral health rehabilitation services in the Louisiana
20 medical assistance program

21 * * *

22 D. In order to be eligible to receive Medicaid reimbursement, all behavioral
23 health services providers shall ensure that any individual rendering PSR or CPST
24 services for the licensed and accredited provider agency meets all of the following
25 requirements:

26 * * *

27 (2)(a) On and after July 1, 2018, any individual rendering PSR services for
28 a licensed and accredited provider agency shall hold a minimum of a bachelor's
29 degree from an accredited university or college in the field of counseling, social
30 work, psychology, or sociology. Any individual rendering PSR services who does
31 not possess the minimum bachelor's degree required in this Paragraph, but who met
32 all provider qualifications in effect prior to July 1, 2018, may continue to provide
33 PSR services for the same provider agency. ~~Prior to the individual rendering PSR~~
34 ~~services at a different provider agency, he must comply with the provisions of this~~
35 ~~Section~~ **any licensed and accredited provider agency.**

36 * * *

37 Section 2. R.S. 46:460.51(1) and 460.61 are hereby amended and reenacted and R.S.
38 46:460.77.3 is hereby enacted to read as follows:

1 §460.51. Definitions

2 As used in this Part, the following terms have the meaning ascribed in this
3 Section unless the context clearly indicates otherwise:

4 (1)(a) "Adverse determination" means any of the following relative to a
5 claim by a provider for payment for a healthcare service rendered by the provider to
6 an enrollee of the Medicaid managed care organization:

7 (a) (i) A decision by a managed care organization that denies a claim in
8 whole or in part.

9 (b) (ii) A decision by a managed care organization that only partially pays
10 a claim.

11 (c) (iii) A decision by a managed care organization that results in
12 recoupment of the payment of a claim.

13 (b) **The term "adverse determination" shall not include a decision by a**
14 **managed care organization that results in a recoupment of the payment of a**
15 **claim based upon an audit finding of fraud or abuse.**

16 * * *

17 AMENDMENT NO. 6

18 On page 3, at the beginning of line 16, change "Section 2." to "Section 3."

19 AMENDMENT NO. 7

20 On page 4, line 7, delete "**health care**" and insert in lieu thereof "**healthcare**"

21 AMENDMENT NO. 8

22 On page 4, line 9, delete "**the**"

23 AMENDMENT NO. 9

24 On page 4, line 14, delete "**Louisiana Department of Health or their**" and insert in lieu
25 thereof "**department or its**"

26 AMENDMENT NO. 10

27 On page 4, at the beginning of line 28, change "**E. A managed care organization that**
28 **determines**" to "**E. If a managed care organization determines**"

29 AMENDMENT NO. 11

30 On page 4, line 29, delete "**health care**" and insert in lieu thereof "**healthcare**"

31 AMENDMENT NO. 12

32 On page 5, line 2, delete "**health care**" and insert in lieu thereof "**healthcare**"

33 AMENDMENT NO. 13

34 On page 5, at the end of line 7, change "**health care**" to "**healthcare**"

35 AMENDMENT NO. 14

36 On page 5, delete lines 12 through 17 in their entirety and insert in lieu thereof the following:

37 **§460.77.3. Staff training requirements**

1 A. Employees, contractors, and subcontractors of managed care
 2 organizations performing work or services related to the performance or
 3 supervision of audits, prior authorization determinations, and clinical reviews
 4 of mental health rehabilitation services providers shall receive annual training
 5 on Louisiana's Medicaid Behavioral Health Provider Manual and the relevant
 6 state laws, policies, and regulations related to the state's mental health
 7 rehabilitation program.

8 B. Employees, contractors, and subcontractors of managed care
 9 organizations shall take all necessary steps to ensure mental health
 10 rehabilitation services providers are rostered, credentialed, or otherwise eligible
 11 to provide and be reimbursed for mental health rehabilitation services in
 12 accordance with R.S. 46:460.61.

13 C. For purposes of this Section, the following definitions apply:

14 (1) "Mental health rehabilitation" means an outpatient healthcare
 15 program provider of any psychosocial rehabilitation, crisis intervention, or
 16 community psychiatric support and treatment services that promotes the
 17 restoration of community functioning and well-being of an individual diagnosed
 18 with a mental health or mental or emotional disorder. A mental health
 19 rehabilitation provider uses evidence-based supports and interventions designed
 20 to improve individual and community outcomes.

21 (2) "Mental health rehabilitation services" means outpatient services for
 22 adults with serious mental illness and children with emotional or behavioral
 23 disorders which are medically necessary to reduce the disability resulting from
 24 mental illness and assist in the recovery and resiliency of the recipient. Such
 25 services are home- and community-based and are provided on an as-needed
 26 basis to assist recipients in coping with the symptoms of their illness. The intent
 27 of mental health rehabilitation services is to minimize the disabling effects on
 28 the individual's capacity for independent living and to prevent or limit the
 29 periods of inpatient treatment.

30 D. The department shall promulgate in accordance with the
 31 Administrative Procedure Act all rules as are necessary to implement the
 32 provisions of this Section."