

2024 Regular Session

HOUSE RESOLUTION NO. 330

BY REPRESENTATIVE LYONS

MEDICAID: Requests the Louisiana Department of Health to comply with the Administrative Procedure Act in its implementation of House Bill No. 80 of the 2024 Regular Session

1 A RESOLUTION

2 To urge and request the Louisiana Department of Health (LDH) to comply with the  
3 Administrative Procedure Act in its implementation of House Bill No. 80 of the 2024  
4 Regular Session.

5 WHEREAS, House Bill No. 80 of the 2024 Regular Session authorizes transportation  
6 network companies to provide nonemergency medical transportation (NEMT) services  
7 through the state Medicaid program; and

8 WHEREAS, the proposed legislation authorizes LDH to promulgate rules and  
9 regulations as necessary for its implementation; and

10 WHEREAS, the provisions of the proposed legislation prohibit transportation  
11 network companies from providing Medicaid NEMT services prior to rules being  
12 promulgated by LDH without demonstration of compliance with the requirements of its  
13 rules; and

14 WHEREAS, the provisions of the proposed legislation do not require rules  
15 promulgated by LDH to be consistent with the Medicaid Services Manual; and

16 WHEREAS, the Administrative Procedure Act (APA) is a uniform, comprehensive  
17 set of procedures, which covers the administrative actions of state executive branch  
18 agencies; and

1           WHEREAS, the APA establishes provisions for state boards, commissions,  
2 departments, agencies, officers, and other entities to make rules, set fees, adjudicate  
3 proceedings, and oversee licensing, and allow judicial review of such actions; and

4           WHEREAS, the APA grants LDH the ability to implement necessary rules and  
5 regulations to ensure its compliance with laws; and

6           WHEREAS, through its compliance with the APA, LDH can ensure the efficacy of  
7 the proposed legislation.

8           THEREFORE, BE IT RESOLVED that the House of Representatives of the  
9 Legislature of Louisiana does hereby urge and request the Louisiana Department of Health  
10 to comply with the Administrative Procedure Act in its implementation of House Bill No.  
11 80 of the 2024 Regular Session.

12           BE IT FURTHER RESOLVED that, in its compliance with the Administrative  
13 Procedure Act, the Louisiana Department of Health provides sufficient notice to credentialed  
14 nonemergency medical transportation providers.

15           BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
16 secretary of the Louisiana Department of Health.

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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)]

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HR 330 Original

2024 Regular Session

Lyons

Requests the La. Dept. of Health to comply with the Administrative Procedure Act in its implementation of House Bill No. 80 of the 2024 Regular Session.