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**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Original House Concurrent Resolution No. 8 by Representative Edwards

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1 AMENDMENT NO. 1

2 On page 5, at the end of line 3, insert a semicolon ";" and "Louisiana Health Care  
3 Independence Program"

4 AMENDMENT NO. 2

5 On page 5, between lines 12 and 13, insert the following:

6 "B. The department shall create and administer the Louisiana Health Care  
7 Independence Program, referred to hereafter in this Section as the "program". After  
8 receiving the approval of the Senate and House Committees on Health and Welfare,  
9 the department, on or before September 1, 2013, shall submit and apply for all of the  
10 following:

11 1. Federal waivers necessary to implement the program in a manner  
12 consistent with this Section, including without limitation approval for a  
13 comprehensive waiver under Section 1115 of the Social Security Act, 42 U.S.C.  
14 1315.

15 2. Medicaid state plan amendments necessary to implement the program in  
16 a manner consistent with this Section.

17 3. Those Medicaid state plan amendments that are optional and therefore  
18 may be revoked by the state at its discretion.

19 C.1. As part of its actions the department shall confirm that employers shall  
20 not be subject to the penalties, including without limitation an assessable payment,  
21 under Section 1513 of Pub. L. No. 111-148, as existing on January 1, 2013,  
22 concerning shared responsibility, for employees who are eligible individuals if the  
23 employees meet either of the following criteria:

24 (a) Are enrolled in the program.

25 (b) Enroll in a qualified health plan through the federal health insurance  
26 marketplace.

27 2. If the department is unable to confirm provisions under this Section, the  
28 program shall not be implemented.

29 D.1. Implementation of the program shall be contingent upon the receipt of  
30 necessary federal approvals.

31 2. If the department does not receive the necessary federal approvals, the  
32 program shall not be implemented.

33 E. The program shall include premium assistance for eligible individuals to  
34 enable their enrollment in a qualified health plan through the federal health insurance  
35 marketplace.

36 F.1. The department may pay premiums and supplemental cost-sharing  
37 subsidies directly to the federally qualified health plans for enrolled eligible  
38 individuals.

39 2. The intent of the payments under this Subsection is to increase  
40 participation in the health insurance market, intensify price pressures, and reduce  
41 costs for both publicly and privately funded health care.

42 G. The department shall accomplish all of the following to the extent  
43 allowable by law:

1 1. Pursue strategies that promote insurance coverage of children in their  
 2 parents' or caregivers' plan, including children eligible for the Louisiana Children's  
 3 Health Insurance Program (LaCHIP).

4 2. Develop and implement a strategy to inform Medicaid recipient  
 5 populations whose needs would be reduced or better served through participation in  
 6 the federal health insurance marketplace.

7 H. The program authorized by this Section shall terminate within one  
 8 hundred twenty days after a reduction in any of the following federal medical  
 9 assistance percentages for services to individuals determined eligible under the new  
 10 adult group and who are considered to be newly eligible as defined in section  
 11 1905(y)(2)(A) of the Patient Protection and Affordable Care Act:

12 1. One hundred percent in 2014, 2015, or 2016.

13 2. Ninety-five percent in 2017.

14 3. Ninety-four percent in 2018.

15 4. Ninety-three percent in 2019.

16 5. Ninety percent in 2020 or any year after 2020.

17 I. An eligible individual enrolled in the program shall affirmatively  
 18 acknowledge the existence of all of the following facts:

19 1. The program shall not be a perpetual federal or state right or a guaranteed  
 20 entitlement.

21 2. The program shall be subject to cancellation upon appropriate notice.

22 3. The program shall not be an entitlement program.

23 J.1. The department shall develop a model and seek from the Centers for  
 24 Medicare and Medicaid Services all necessary waivers and approvals to allow  
 25 non-aged, non-disabled program-eligible participants to enroll in a program that shall  
 26 create and utilize independence accounts that operate similar to a health savings  
 27 account or medical savings account during the calendar year 2015.

28 2. The independence accounts shall accomplish all of the following  
 29 functions:

30 (a) Allow a participant to purchase cost-effective high-deductible health  
 31 insurance.

32 (b) Promote independence and self-sufficiency.

33 3. The state shall implement cost sharing and copayments, and establish as  
 34 a condition of participation that earnings shall exceed fifty percent of the applicable  
 35 federal poverty level.

36 4. Participants may receive rewards based on healthy living and  
 37 self-sufficiency.

38 5.(a) At the end of each fiscal year, if there are funds remaining in the  
 39 account, a majority of the state's contribution shall remain in the participant's control  
 40 as a positive incentive for the responsible use of the health care system and personal  
 41 responsibility of health maintenance.

42 (b) Uses of the funds may include, without limitation, rolling the funds into  
 43 a private sector health savings account for the participant according to rules  
 44 promulgated by the department.

45 (c) The department shall promulgate any additional rules necessary to  
 46 implement this Section in accordance with the Administrative Procedure Act, and  
 47 shall project, track, and report state obligations for uncompensated care to identify  
 48 potential incremental future decreases.

49 (d) The department shall recommend appropriate adjustments in funding to  
 50 the legislature.

51 (e) Adjustments shall be made by the legislature as appropriate.

52 K. On a quarterly basis, the department shall report to the Joint Legislative  
 53 Committee on the Budget, within two weeks of the end of each quarter, information  
 54 regarding the following aspects of the program:

55 1. Program enrollment.

- 1                    2. Patient experience.
- 2                    3. Economic impact including enrollment distribution.
- 3                    4. Carrier competition.
- 4                    5. Success in avoiding uncompensated care."

5    AMENDMENT NO. 3

6    On page 5, at the beginning of line 13, change "B." to "L."

7    AMENDMENT NO. 4

8    On page 5, at the beginning of line 23, change "C." to "M."

9    AMENDMENT NO. 5

10   On page 6, at the beginning of line 5, change "D." to "N."

11   AMENDMENT NO. 6

12   On page 6, at the beginning of line 10, change "E." to "O."