

2016 Regular Session

HOUSE BILL NO. 790

BY REPRESENTATIVE LEGER

MEDICAID: Provides for implementation of a Medicaid managed long term services and supports system

1 AN ACT

2 To enact Part XIV of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 46:460.101 through 460.103, relative to the Medicaid managed
4 care program of this state; to provide for duties of the Department of Health and
5 Hospitals in administering the Medicaid managed care program; to require
6 implementation of a managed long term services and supports system; to require
7 phases of system implementation to occur by certain dates; to provide for a request
8 for proposals process; to provide an effective date; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Part XIV of Chapter 3 of Title 46 of the Louisiana Revised Statutes of
11 1950, comprised of R.S. 46:460.101 through 460.103, is hereby enacted to read as follows:

12 PART XIV. MANAGED LONG TERM SERVICES AND SUPPORTS

13 §460.101. Definitions

14 As used in this Part, the following terms have the meaning ascribed in this

15 Section:

16 (1) "Department" means the Department of Health and Hospitals.

17 (2) "Managed long term services and supports" and "MLTSS" mean a
18 system for delivery of long term services and supports through a capitated Medicaid
19 managed care program.

1 (3) "Medicaid" and "medical assistance program" mean the medical
2 assistance program provided for in Title XIX of the Social Security Act.

3 (4) "Secretary" means the secretary of the Department of Health and
4 Hospitals.

5 §460.102. Legislative findings; declaration

6 A. The Legislature of Louisiana hereby finds and affirms the following:

7 (1) Since the initial statewide implementation of Medicaid managed care in
8 2012 which encompassed select groups of enrollees, the department has moved
9 incrementally to institute managed care for additional Medicaid populations and
10 services.

11 (2) As of January 1, 2016, the entirety of the Medicaid population of this
12 state was enrolled in managed care except for approximately seventy-two thousand
13 persons receiving long-term care services in institutional or home-based settings.

14 (3) The primary benefits of a Medicaid managed long term services and
15 supports system, referred to hereafter in this Part as an "MLTSS system", as
16 evidenced in states that have implemented such a system, include the following:

17 (a) Improved quality of care and expanded service options for Medicaid
18 enrollees who need long-term care due to conditions associated with age or
19 disability.

20 (b) Greater fiscal sustainability of a state's overall Medicaid program.

21 B. The legislature hereby declares that the establishment of an MLTSS
22 system within the Medicaid program is a fiscal and public health priority of this
23 state.

24 §460.103. Managed long term services and supports; implementation; contracts

25 A. The secretary of the department shall submit to the Centers for Medicare
26 and Medicaid Services any new waiver application, amendment to an existing
27 waiver, and Medicaid state plan amendment as may be necessary to establish an
28 MLTSS system within the Medicaid managed care program through a waiver
29 authorized pursuant to Section 1915(b) of the Social Security Act.

1 B. The secretary shall select one or more capitated managed care plans as the
2 MLTSS contractor or contractors through a competitive request for proposals
3 process.

4 C. The secretary shall promulgate all rules and regulations in accordance
5 with the Administrative Procedure Act as are necessary to institute the MTLSS
6 system provided for in this Part.

7 D. The secretary shall complete all actions required by the provisions of this
8 Section on or before July 1, 2016.

9 Section 2. The secretary of the Department of Health and Hospitals shall take all
10 such actions as are necessary to ensure that the initial phase of implementation of the
11 Medicaid managed long term services and supports system provided for in Section 1 of this
12 Act begins on or before October 1, 2016; and that full implementation of the system is
13 completed on or before October 1, 2017.

14 Section 3. This Act shall become effective on July 1, 2016.

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)]

HB 790 Original

2016 Regular Session

Leger

Abstract: Provides for implementation of a Medicaid managed long term services and supports system and requires implementation to occur by a certain date.

Proposed law defines "managed long term services and supports" and "MLTSS" as a system for delivery of long term services and supports through a capitated Medicaid managed care program. Provides findings, and declares that establishment of an MLTSS system is a fiscal and public health priority of this state.

Proposed law requires that the Department of Health and Hospitals (DHH) submit to the federal Medicaid agency any new waiver application, amendment to an existing waiver, and Medicaid state plan amendment as may be necessary to establish an MLTSS system within the Medicaid managed care program. Additionally, requires DHH to take all of the following actions with respect to establishing an MLTSS system:

- (1) Select one or more capitated managed care plans as the MLTSS contractor or contractors through a competitive request for proposals process.
- (2) Promulgate all rules and regulations in accordance with the APA as are necessary to institute the MTLSS system.

Proposed law requires the DHH secretary to ensure that all of the duties of the department noted above are completed on or before July 1, 2016. Requires further that the secretary take all such actions as are necessary to ensure that the initial phase of implementation of the MLTSS system begins on or before October 1, 2016; and that full implementation of the system is completed on or before October 1, 2017.

Effective July 1, 2016.

(Adds R.S. 46:460.101 through 460.103)