

# ACT 401 of the 2014 Legislative Session

## *Annual Rulemaking Report*

*Louisiana Department of Health*

*Legislative and Governmental Relations*

February 2018



# Annual Legislative Rulemaking Report

## Louisiana Department of Health / Bureau of Health Services Financing

### 2017 Notices of Intent / Regular Rulemaking

- 1 Intermediate Care Facilities for Persons with Intellectual Disabilities - Supplemental Payments (LAC 50:VII.32917)**  
Notice of Intent: January 20, 2017  
Public Hearing: February 27, 2017  
Oversight Report: March 10, 2017  
Oversight Hearing: N/A  
Final Rule: April 20, 2017
- 2 Managed Care for Physical and Behavioral Health - Louisiana Health Insurance Premium Payment Program (LAC 50:I.3103)**  
Notice of Intent: January 20, 2017  
Public Hearing: February 27, 2017  
Oversight Report: March 10, 2017  
Oversight Hearing: N/A  
Final Rule: April 20, 2017
- 3 Medicaid Eligibility - Louisiana Health Insurance Premium Payment Program (LAC 50:III.2311)**  
Notice of Intent: January 20, 2017  
Public Hearing: February 27, 2017  
Oversight Report: March 10, 2017  
Oversight Hearing: N/A  
Final Rule: April 20, 2017
- 4 Pharmacy Benefits Management Program (LAC 50:XXIX.Chapters 1-9)**  
Notice of Intent: January 20, 2017  
Public Hearing: February 27, 2017  
Oversight Report: May 10, 2017  
Oversight Hearing: N/A  
Final Rule: June 20, 2017
- 5 Ambulatory Surgical Centers - Licensing Standards (LAC 48:I.Chapter 45)**  
Fix title in markup: February 20, 2017  
Public Hearing: March 30, 2017  
Oversight Report: August 10, 2017  
Oversight Hearing: N/A  
Final Rule: September 20, 2017
- 6 Disproportionate Share Hospital Payments - Louisiana Low-Income Academic Hospitals - Payment Methodology**  
Notice of Intent: February 20, 2017  
Public Hearing: March 30, 2017  
Oversight Report: April 10, 2017  
Oversight Hearing: N/A  
Final Rule: May 20, 2017
- 7 Disproportionate Share Hospital Payments - Qualifying Criteria (LAC 50:V.2503)**  
Notice of Intent: February 20, 2017  
Public Hearing: March 30, 2017  
Oversight Report: April 10, 2017  
Oversight Hearing: N/A  
Final Rule: May 20, 2017
- 8 Family Planning Waiver - Program Termination (LAC 50:XXII.Chapters 21-27)**  
Notice of Intent: February 20, 2017  
Public Hearing: March 30, 2017  
Oversight Report: April 10, 2017  
Oversight Hearing: N/A  
Final Rule: May 20, 2017
- 9 Inpatient Hospital Services - Non-Rural, Non-State Hospitals - Reimbursement Rate Increase (LAC 50:V.Chapter 9)**  
Notice of Intent: February 20, 2017  
Public Hearing: March 30, 2017  
Oversight Report: April 10, 2017  
Oversight Hearing: N/A  
Final Rule: May 20, 2017
- 10 Outpatient Hospital Services - Non-Rural, Non-State Hospitals and Children's Specialty Hospitals - Reimbursement Rate Increase (LAC 50:V.5313, 5317, 5513, 5517, 5713, 5719, 6115 and 6119)**  
Notice of Intent: February 20, 2017  
Public Hearing: March 30, 2017  
Oversight Report: April 10, 2017  
Oversight Hearing: N/A  
Final Rule: May 20, 2017
- 11 Pharmacy Benefits Management Program - State Supplemental Rebate Agreement Program (LAC 50:XXIX.Chapter 11)**  
Notice of Intent: February 20, 2017  
Public Hearing: March 30, 2017  
Oversight Report: April 10, 2017  
Oversight Hearing: N/A  
Final Rule: May 20, 2017
- 12 Nursing Facilities - Preadmission Screening and Resident Review (LAC 50:II.Chapter 5)**  
Notice of Intent: March 20, 2017  
Public Hearing: April 27, 2017  
Oversight Report: May 10, 2017  
Oversight Hearing: N/A

Final Rule: June 20, 2017

- 13 Behavioral Health Service Providers - Licensing Standards (LAC 48:I.Chapter 56)**  
Notice of Intent: April 20, 2017  
Public Hearing: May 25, 2017  
Oversight Report: June 9, 2017  
Oversight Hearing: N/A  
Final Rule: July 20, 2017
- 14 Inpatient Hospital Services - Graduate Medical Education - Supplemental Payments Pool Elimination (LAC 50:V.1331)**  
Notice of Intent: April 20, 2017  
Public Hearing: May 25, 2017  
Oversight Report: June 9, 2017  
Oversight Hearing: N/A  
Final Rule: July 20, 2017
- 15 Inpatient Hospital Services - High Medicaid Hospitals - Supplemental Payments Pool Reduction (LAC 50:V.953)**  
Notice of Intent: April 20, 2017  
Public Hearing: May 25, 2017  
Oversight Report: June 9, 2017  
Oversight Hearing: N/A  
Final Rule: July 20, 2017
- 16 Medicaid Eligibility - Former Foster Care Adolescents (LAC 50:III.2308)**  
Notice of Intent: April 20, 2017  
Public Hearing: May 25, 2017  
Oversight Report: June 9, 2017  
Oversight Hearing: N/A  
Final Rule: July 20, 2017
- 17 Professional Services Program - Reimbursement Methodology - Supplemental Payments (LAC 50:IX.15151 and 15153)**  
Notice of Intent: April 20, 2017  
Public Hearing: May 25, 2017  
Oversight Report: June 9, 2017  
Oversight Hearing: N/A  
Final Rule: July 20, 2017
- 18 Managed Care for Physical and Behavioral Health - Louisiana Health Insurance Premium Payment Program - Behavioral Health Recipient Participation (LAC 50:I.3103)**  
Notice of Intent: May 20, 2017  
Public Hearing: June 29, 2017  
Oversight Report: July 10, 2017  
Oversight Hearing: N/A  
Final Rule: August 10, 2017
- 19 Pharmacy Benefits Management Program - Provider Participation and Reimbursement (LAC 50:XXIX.Chapters 1 and 9)**  
Notice of Intent: May 20, 2017  
Public Hearing: June 29, 2017  
Oversight Report: July 10, 2017  
Oversight Hearing: N/A  
Final Rule: August 10, 2017
- 20 Abortion Facilities - Licensing Standards (LAC 48:I.4431)**  
Notice of Intent: June 20, 2017  
Public Hearing: July 27, 2017
- 21 Pharmacy Benefits Management Program - Managed Care Supplemental Rebates (LAC 50:XXIX.1103)**  
Notice of Intent: June 20, 2017  
Public Hearing: July 27, 2017  
Oversight Report: August 7, 2017
- 22 Professional Services Program - Enhanced Federal Medical Assistance Percentage Rate for Preventive Services (LAC 50:IX.15101)**  
Notice of Intent: June 20, 2017  
Public Hearing: July 27, 2017  
Oversight Report: August 7, 2017  
Oversight Hearing: N/A  
Final Rule: September 20, 2017
- 23 Professional Services Program - Reimbursement Methodology - State-Owned or Operated Professional Services Practices (LAC 50:IX.15110 and 15113)**  
Notice of Intent: June 20, 2017  
Public Hearing: August 27, 2017  
Oversight Report: August 7, 2017
- 24 Adult Day Health Care - Licensing Standards (LAC 48:I Chapter 42)**  
Notice of Intent: July 20, 2017  
Public Hearing: August 24, 2017  
Oversight Report: September 8, 2017  
Oversight Hearing: N/A  
Final Rule: October 20, 2017
- 25 Adult Residential Care Providers - Licensing Standards (LAC 48:I. Chapter 68)**  
Notice of Intent: July 20, 2017  
Public Hearing: August 24, 2017  
Oversight Report: September 8, 2017  
Oversight Hearing: N/A  
Final Rule: October 20, 2017

- 26 Home and Community-Based Services Waivers - Standards for Participation (LAC 50:XXI.101,301,305 and Chapter 9)**  
 Notice of Intent: July 20, 2017  
 Public Hearing: August 24, 2017  
 Oversight Report: September 8, 2017  
 Oversight Hearing: N/A  
 Final Rule: October 20, 2017
- 27 Hospital Licensing Standards - Obstetrical and Newborn Services - Neonatal Unit Functions (LAC 48:I.9513)**  
 Notice of Intent: July 20, 2017  
 Public Hearing: August 24, 2017  
 Oversight Report: September 8, 2017  
 Oversight Hearing: N/A  
 Final Rule: October 20, 2017
- 28 Personal Care Services – Long-Term - Standards for Participation (LAC 50:XV.12901 and 12909)**  
 Notice of Intent: July 20, 2017  
 Public Hearing: August 24, 2017  
 Oversight Report: September 8, 2017  
 Oversight Hearing: N/A  
 Final Rule: October 20, 2017
- 29 Adult Brain Injury Facilities - Licensing Standards (LAC 48:I.Chapter 87)**  
 Notice of Intent: August 20, 2017  
 Public Hearing: September 28, 2017  
 Oversight Report: October 10, 2017  
 Oversight Hearing: N/A  
 Final Rule: November 20, 2017
- 30 Home and Community-Based Services Providers - Licensing Standards (LAC 48:I.Chapters 50 and 51)**  
 Notice of Intent: August 20, 2017  
 Public Hearing: September 28, 2017  
 Oversight Report: November 9, 2017  
 Oversight Hearing: N/A  
 Final Rule: December 20, 2017
- 31 Home and Community-Based Services Waivers - New Opportunities Waiver (LAC 50:XXI.Chapters 137-143)**  
 Notice of Intent: August 20, 2017  
 Public Hearing: September 28, 2017  
 Oversight Report: December 8, 2017
- 32 Nursing Facilities - Reimbursement Methodology (LAC 50:II.20001)**  
 Notice of Intent: August 20, 2017  
 Public Hearing: September 28, 2017  
 Oversight Report: October 10, 2017  
 Oversight Hearing: N/A  
 Final Rule: November 20, 2017
- 33 Nursing Facilities – Standards for Payment - Level of Care Pathways (LAC 50:II.10156)**  
 Notice of Intent: August 20, 2017  
 Scheduled Public Hearing: September 28, 2017  
 Oversight Report: October 10, 2017  
 Oversight Hearing: N/A  
 Final Rule: November 20, 2017
- 34 Applied Behavior Analysis-Based Therapy Services - Custodial Care Services (LAC 50:XV.301)**  
 Notice of Intent: September 20, 2017  
 Scheduled Public Hearing: October 26, 2017  
 Oversight Report: November 9, 2017  
 Oversight Hearing: N/A  
 Final Rule: December 20, 2017
- 35 Home and Community-Based Services Waivers - Children's Choice Waiver - Allocation of Waiver Opportunities (LAC 50:XXI.Chapter 111, 11303, Chapters 115-119, and 12301)**  
 Notice of Intent: September 20, 2017  
 Scheduled Public Hearing: October 26, 2017  
 Oversight Report: November 9, 2017  
 Oversight Hearing: N/A  
 Final Rule: December 20, 2017
- 36 Home and Community-Based Services Waivers - New Opportunities Waiver - Allocation of Waiver Opportunities (LAC 50:XXI.Chapter 137)**  
 Notice of Intent: September 20, 2017  
 Scheduled Public Hearing: October 26, 2017  
 Oversight Report: November 9, 2017  
 Oversight Hearing: N/A  
 Final Rule: December 20, 2017
- 37 Home and Community-Based Services Waivers - Residential Options Waiver - Allocation of Waiver Opportunities (LAC 50:XXI.16105,16107, and 16901)**  
 Notice of Intent: September 20, 2017  
 Public Hearing: October 26, 2017  
 Oversight Report: November 9, 2017  
 Oversight Hearing: N/A  
 Final Rule: December 20, 2017
- 38 Home and Community-Based Services Waivers - Supports Waiver - Allocation of Waiver Opportunities (LAC 50:XXI.5301, 5501, 5505, 5701, 5901)**  
 Notice of Intent: September 20, 2017  
 Public Hearing: October 26, 2017  
 Oversight Report: November 9, 2017



	Oversight Hearing:	N/A
	Final Rule:	December 20, 2017
39	<b>Inpatient Hospital Services - Non-Rural, Non-State Hospitals - Reimbursement Rate Increase (LAC 50:V.Chapter 9)</b>	
	Notice of Intent:	September 20, 2017
	Public Hearing:	October 26, 2017
	Oversight Report:	November 9, 2017
	Oversight Hearing:	N/A
	Final Rule:	December 20, 2017
40	<b>Medicaid Eligibility - Express Lane Eligibility (LAC 50:III.1103)</b>	
	Notice of Intent:	September 20, 2017
	Public Hearing:	October 26, 2017
	Oversight Report:	November 9, 2017
	Oversight Hearing:	N/A
	Final Rule:	December 20, 2017
41	<b>Outpatient Hospital Services - Non-Rural, Non-State Hospitals and Children's Specialty Hospitals - Reimbursement Rate Increase (LAC 50:V.5313, 5317, 5513, 5517, 5713, 5517, 5713, 5719, 6115 and 6119)</b>	
	Notice of Intent:	September 20, 2017
	Public Hearing:	October 26, 2017
	Oversight Report:	November 9, 2017
	Oversight Hearing:	N/A
	Final Rule:	December 20, 2017
42	<b>Home Health Program - Home Health Encounters and Services (LAC 50:XIII.Chapters 1-5)</b>	
	Notice of Intent:	October 20, 2017
	Public Hearing:	November 29, 2017
	Oversight Report:	December 8, 2017
	Oversight Hearing:	N/A
43	<b>Inpatient Hospital Services - Office of Public Health Newborn Screening Payments (LAC 50:V.115)</b>	
	Notice of Intent:	October 20, 2017
	Public Hearing:	November 29, 2017
	Oversight Report:	December 8, 2017
	Oversight Hearing:	N/A
44	<b>Intermediate Care Facilities for Persons with Intellectual Disabilities—Public Facilities - Transitional Rate Extension (LAC 50:VII.32969)</b>	
	Notice of Intent:	October 20, 2017
	Public Hearing:	November 29, 2017
	Oversight Report:	December 8, 2017
	Oversight Hearing:	N/A
45	<b>Intermediate Care Facilities for Persons with Intellectual Disabilities - Reimbursement Methodology - Leave of Absence Days (LAC 50:II.10307 and VII.33103)</b>	
	Notice of Intent:	October 20, 2017
	Public Hearing:	November 29, 2017
	Oversight Report:	December 8, 2017
	Oversight Hearing:	N/A
46	<b>Managed Care for Physical and Behavioral Health - Applied Behavior Analysis-Based Therapy Services Integration (LAC 50:I.3507)</b>	
	Notice of Intent:	October 20, 2017
	Public Hearing:	November 29, 2017
	Oversight Report:	December 8, 2017
	Oversight Hearing:	N/A
47	<b>Professional Services Program - State-Owned or Operated Professional Services Practices - Enhanced Reimbursement Rates (LAC 50:IX.15110 and 15113)</b>	
	Notice of Intent:	October 20, 2017
	Public Hearing:	November 29, 2017
	Oversight Report:	December 8, 2017
	Oversight Hearing:	N/A
48	<b>Targeted Case Management - Reimbursement Methodology - Early and Periodic Screening, Diagnosis and Treatment (LAC 50:XV.10701)</b>	
	Notice of Intent:	October 20, 2017
	Public Hearing:	November 29, 2017
	Oversight Report:	December 8, 2017
	Oversight Hearing:	N/A
49	<b>Behavioral Health Services - Healthy Louisiana and Coordinated System of Care Waiver (LAC 50:XXXIII.Chapters 1-7)</b>	
	Notice of Intent:	November 20, 2017
	Public Hearing:	December 28, 2017
50	<b>Behavioral Health Services - Substance Use Disorders Services (LAC 50:XXXIII.Chapters 141-147)</b>	
	Notice of Intent:	November 20, 2017
	Public Hearing:	December 28, 2017
51	<b>Children's Behavioral Health Services (LAC 50:XXXIII. Chapters 21-27)</b>	
	Notice of Intent:	November 20, 2017
	Public Hearing:	December 28, 2017
52	<b>Disproportionate Share Hospital Payments - Major Medical Centers (LAC 50:V.2715)</b>	
	Notice of Intent:	November 20, 2017
	Public Hearing:	December 28, 2017
53	<b>Facility Need Review - Behavioral Health Services Providers (LAC 48:I.Chapter 125)</b>	
	Notice of Intent:	November 20, 2017
	Public Hearing:	December 28, 2017

- 54 **Home and Community-Based Behavioral Health Services Waiver (LAC 50:XXXIII.8103, 8501 and 8701)**  
 Notice of Intent: November 20, 2017  
 Public Hearing: December 28, 2017
- 55 **Laboratory and Radiology Services - Termination of Coverage for Proton Beam Radiation Therapy (LAC 50:XIX.4334)**  
 Notice of Intent: November 20, 2017  
 Public Hearing: December 28, 2017
- 56 **Managed Care for Physical and Behavioral Health - Independent Review Process for Provider Claims (LAC 50:I.3111)**  
 Notice of Intent: November 20, 2017  
 Public Hearing: December 28, 2017
- 57 **Managed Care for Physical and Behavioral Health - Member Grievances and Appeals (LAC 50:I.Chapter 37)**  
 Notice of Intent: November 20, 2017  
 Public Hearing: December 28, 2017
- 58 **Psychiatric Residential Treatment Facilities - Licensing Standards (LAC 48:I.Chapter 90)**  
 Notice of Intent: November 20, 2017  
 Public Hearing: December 28, 2017
- 59 **Therapeutic Group Homes (LAC 50:XXXIII.Chapters 121-127)**  
 Notice of Intent: November 20, 2017  
 Public Hearing: December 28, 2017
- 60 **Family Planning Services (LAC 50:XV.25501)**  
 Notice of Intent: December 20, 2017
- 61 **Hospice Licensing Standards (LAC 48:I.Chapter 82)**  
 Notice of Intent: December 20, 2017
- 62 **Inpatient Hospital Services - Pre-Admission Certification (LAC 50:V.301)**  
 Notice of Intent: December 20, 2017
- 63 **Intermediate Care Facilities for Persons with Intellectual Disabilities - Supplemental Payments (LAC 50:VII.32917)**  
 Notice of Intent: December 20, 2017
- 64 **Applied Behavior Analysis-Based Therapy Services - Reimbursement Rate Realignment (LAC 50:XV.703)**  
 Public Hearing: January 26, 2017  
 Oversight Report: March 10, 2017  
 Oversight Hearing: N/A  
 Final Rule: April 20, 2017
- 65 **Disproportionate Share Hospital Payments - Louisiana Low-Income Academic Hospitals (LAC 50:V.2501 and Chapter 31)**  
 Public Hearing: January 26, 2017  
 Oversight Report: February 10, 2017  
 Oversight Hearing: N/A  
 Final Rule: March 20, 2017
- 66 **Home and Community-Based Services Providers - Licensing Standards (LAC 48:I.Chapters 50 and 51)**  
 Public Hearing: January 26, 2017
- 67 **Home and Community-Based Services Waivers - Community Choices Waiver - Electronic Visit Verification (LAC 50:XXI.9305)**  
 Public Hearing: January 26, 2017
- 68 **Intermediate Care Facilities for Persons with Developmental Disabilities - Licensing Standards (LAC 48:I.8595 and 8599)**  
 Public Hearing: January 26, 2017  
 Oversight Report: February 10, 2017  
 Oversight Hearing: N/A  
 Final Rule: March 20, 2017
- 69 **Nursing Facilities - Reimbursement Methodology (LAC 50:Chapter 200)**  
 Public Hearing: January 26, 2017  
 Oversight Report: February 10, 2017  
 Oversight Hearing: N/A  
 Final Rule: March 20, 2017
- 70 **Personal Care Services – Long-Term - Standards for Participation - Electronic Visit Verification (LAC 50:XV.12909)**  
 Public Hearing: January 26, 2017
- 71 **Behavioral Health Services - Healthy Louisiana and Coordinated System of Care Waiver (LAC 50:XXXIII.Chapters 1, 3 and 7)**  
 Oversight Report: January 10, 2017  
 Oversight Hearing: N/A  
 Final Rule: February 20, 2017
- 72 **Disproportionate Share Hospital Payments - Inpatient Psychiatric Services - Reimbursement Rate Reduction (LAC 50:V.2903)**  
 Oversight Report: January 10, 2017  
 Oversight Hearing: N/A  
 Final Rule: February 20, 2017
- 73 **Home and Community-Based Behavioral Health Services Waiver (LAC 50:XXXIII.Chapters 81-83)**  
 Oversight Report: January 10, 2017  
 Oversight Hearing: N/A  
 Final Rule: February 20, 2017
- 74 **Home and Community-Based Services Waivers - Adult Day Health Care Waiver - Transportation Costs (LAC 50:XXI.2905)**  
 Oversight Report: January 10, 2017

	Oversight Hearing:	N/A
	Final Rule:	February 20, 2017
75	<b>Inpatient Hospital Services - Non-Rural, Non-State Hospitals - Public Hospitals Supplemental Payments (LAC 50:V.963)</b>	
	Oversight Report:	January 10, 2017
	Oversight Hearing:	N/A
	Final Rule:	February 20, 2017
76	<b>Intermediate Care Facilities for Persons with Intellectual Disabilities - Evacuation and Temporary Sheltering Costs (LAC 50:VII.33103 and §33105)</b>	
	Oversight Report:	January 10, 2017
	Oversight Hearing:	N/A
	Final Rule:	February 20, 2017
77	<b>Nursing Facilities - Evacuation and Temporary Sheltering Costs (LAC 50:II.20019)</b>	
	Oversight Report:	January 10, 2017
	Oversight Hearing:	N/A
	Final Rule:	February 20, 2017
78	<b>Psychiatric Residential Treatment Facilities - Licensing Standards (LAC 48:I.9047)</b>	
	Oversight Report:	January 10, 2017
	Oversight Hearing:	N/A
	Final Rule:	February 20, 2017
79	<b>Forensic Supervised Transitional Residential and Aftercare Facilities - Licensing Standards (LAC 48:I.Chapters 72)</b>	
	Final Rule:	January 20, 2017
80	<b>Healthcare Services Provider Fees - Nursing Facility Services Providers (LAC 48:I.4001)</b>	
	Final Rule:	January 20, 2017
81	<b>Home and Community-Based Services Waivers - Adult Day Health Care Waiver - Electronic Visit Verification (LAC 50:XXI.2705)</b>	
	Final Rule:	January 20, 2017
82	<b>Hospital Licensing Standards (LAC 48:I.9319,9381 and 9405)</b>	
	Final Rule:	January 20, 2017
83	<b>Hospital Licensing Standards - Obstetrical and Newborn Services (LAC 48:I.Chapter 93)</b>	
	Final Rule:	January 20, 2017
84	<b>Nursing Facilities - Reimbursement Methodology - Pass Through Rate Increase (LAC 50:II.20005)</b>	
	Final Rule:	January 20, 2017
85	<b>Pediatric Day Health Care Facilities - Licensing Standards (LAC 48:I.5239)</b>	
	Final Rule:	January 20, 2017
86	<b>Pediatric Day Health Care Program (LAC 50:XV.27501, 27503, 27901 and 28101)</b>	
	Final Rule:	January 20, 2017



# Annual Legislative Rulemaking Report

## Louisiana Department of Health / Bureau of Health Services Financing

### 2017 Emergency Rules

1	Disproportionate Share Hospital Payments - Louisiana Low-Income Academic Hospitals (LAC 50:V.2501 and Chapter 31)	Amended Emergency Rule: January 20, 2017
2	Inpatient Hospital Services - Children's Specialty Hospitals - Supplemental Payments for New Orleans Area Hospitals (LAC 50:V.969)	Redeclared Emergency Rule: February 7, 2017 Redeclared Emergency Rule: June 8, 2017 Redeclared Emergency Rule: October 7, 2017
3	Inpatient Hospital Services - Non-Rural, Non-State Hospitals - Public Hospitals Supplemental Payments (LAC 50:V.963)	Redeclared Emergency Rule: January 27, 2017
4	Inpatient Hospital Services - Non-Rural, Non-State Hospitals - Supplemental Payments for Baton Rouge Area Hospitals (LAC 50:V.973)	Redeclared Emergency Rule: February 7, 2017 Redeclared Emergency Rule: June 8, 2017 Redeclared Emergency Rule: October 7, 2017
5	Inpatient Hospital Services - Non-Rural, Non-State Hospitals - Supplemental Payments for Monroe Area Hospitals (LAC 50:V.971)	Redeclared Emergency Rule: February 7, 2017 Redeclared Emergency Rule: June 8, 2017 Redeclared Emergency Rule: October 7, 2017
6	Intermediate Care Facilities for Persons with Intellectual Disabilities - Evacuation and Temporary Sheltering Costs (LAC 50:VII.33103 and §33105)	Redeclared Emergency Rule: February 11, 2017
7	Intermediate Care Facilities for Persons with Intellectual Disabilities—Public Facilities - Reimbursement Rate Increase (LAC 50:VII.32969)	Redeclared Emergency Rule: January 25, 2017 Redeclared Emergency Rule: May 26, 2017 Redeclared Emergency Rule: September 24, 2017
8	Nursing Facilities - Evacuation and Temporary Sheltering Costs (LAC 50:II.20019)	Redeclared Emergency Rule: February 11, 2017
9	Outpatient Hospital Services - Children's Specialty Hospitals - Supplemental Payments for New Orleans Area Hospitals (LAC 50:V.6121)	Redeclared Emergency Rule: February 7, 2017 Redeclared Emergency Rule: June 8, 2017 Redeclared Emergency Rule: October 7, 2017
10	Outpatient Hospital Services - Non-Rural, Non-State Hospitals - Supplemental Payments for Baton Rouge Area Hospitals (LAC 50:V.6905)	Redeclared Emergency Rule: February 7, 2017 Redeclared Emergency Rule: June 8, 2017 Redeclared Emergency Rule: October 7, 2017
11	Outpatient Hospital Services - Non-Rural, Non-State Hospitals - Supplemental Payments for Monroe Area Hospitals (LAC 50:V.6903)	Redeclared Emergency Rule: February 7, 2017 Redeclared Emergency Rule: June 8, 2017 Redeclared Emergency Rule: October 7, 2017
12	Pharmacy Benefits Management Program - Methods of Payment	Redeclared Emergency Rule: January 25, 2017 Redeclared Emergency Rule: May 26, 2017
13	Pharmacy Benefits Management Program - State Supplemental Rebate Agreement Program (LAC 50:XXIX.Chapter 11)	Redeclared Emergency Rule: February 15, 2017
14	Disproportionate Share Hospital Payments - Major Medical Centers (LAC 50:V.2715)	Amended Emergency Rule: February 20, 2017 Redeclared Emergency Rule: June 21, 2017 Redeclared Emergency Rule: October 20, 2017
15	Professional Services Program - Reimbursement Methodology - Supplemental Payments (LAC 50:IX.15151 and 15153)	Emergency Rule: February 20, 2017 Redeclared Emergency Rule: June 21, 2017
16	Recovery Audit Contractor Program (LAC 50:I.Chapter 85)	Redeclared Emergency Rule: March 16, 2017 Redeclared Emergency Rule: July 15, 2017 Redeclared Emergency Rule: November 13, 2017
17	Inpatient Hospital Services - Graduate Medical Education - Supplemental Payments Pool Elimination (LAC 50:V.1331)	Redeclared Emergency Rule: March 1, 2017 Amended Emergency Rule: March 2, 2017 Amended Emergency Rule: June 7, 2017
18	Inpatient Hospital Services - High Medicaid Hospitals - Supplemental Payments Pool Reduction (LAC 50:V.953)	Redeclared Emergency Rule: March 1, 2017 Redeclared Emergency Rule: June 30, 2017
19	Abortion Facilities - Licensing Standards (LAC 48:I.4431)	Redeclared Emergency Rule: April 3, 2017 Redeclared Emergency Rule: August 2, 2017 Redeclared Emergency Rule: December 1, 2017
20	Home and Community-Based Services Waivers - Community Choices Waiver - Electronic Visit Verification (LAC 50:XXI.9305)	Redeclared Emergency Rule: March 27, 2017 Redeclared Emergency Rule: July 26, 2017
21	Intermediate Care Facilities for Persons with Intellectual Disabilities - Supplemental Payments (LAC 50:VII.32917)	Redeclared Emergency Rule: March 21, 2017
22	Personal Care Services - Long-Term - Standards for Participation - Electronic Visit Verification (LAC 50:XV.12909)	Redeclared Emergency Rule: March 27, 2017 Redeclared Emergency Rule: July 26, 2017
23	Children's Behavioral Health Services - Termination of Psychosocial Rehabilitation Services for Youth (LAC 50:XXXIII.2303 and 2703)	Emergency Rule: April 1, 2017 Oversight Hearing: March 22, 2017
24	Inpatient Hospital Services - Non-Rural, Non-State Hospitals - Reimbursement Rate Increase (LAC 50:V.Chapter 9)	Redeclared Emergency Rule: May 2, 2017
25	Outpatient Hospital Services - Non-Rural, Non-State Hospitals and Children's Specialty Hospitals - Reimbursement Rate Increase (LAC 50:V.5313, 5317, 5513, 5517, 5713, 5719, 6115 and 6119)	Redeclared Emergency Rule: May 2, 2017
26	Professional Services Program - Enhanced Federal Medical Assistance Percentage Rate for Preventive Services (LAC 50:IX.15101)	Redeclared Emergency Rule: May 15, 2017 Redeclared Emergency Rule: September 13, 2017
27	Professional Services Program - Reimbursement Methodology - State-Owned or Operated Professional Services Practices (LAC 50:IX.15110 and 15113)	Redeclared Emergency Rule: May 1, 2017 Redeclared Emergency Rule: August 24, 2017



**28 Nursing Facilities - Reimbursement Methodology (LAC 50:II.20001)**

Redeclared Emergency Rule: July 1, 2017  
Amended Emergency Rule: October 30, 2017

**29 Inpatient Hospital Services - Office of Public Health Newborn Screening Payments (LAC 50:V.115)**

Emergency Rule: August 5, 2017  
Amended Emergency Rule: October 20, 2017

**30 Facility Need Review - Behavioral Health Services Providers (LAC 48:I Chapter 125)**

Emergency Rule: October 16, 2017  
Rescind Emergency Rule: November 2, 2017

**31 Intermediate Care Facilities for Persons with Intellectual Disabilities—Public Facilities - Transitional Rate Extension (LAC 50:VII.32969)**

Emergency Rule: October 1, 2017

**32 Laboratory and Radiology Services - Termination of Coverage for Proton Beam Radiation Therapy (LAC 50:XIX.4334)**

Emergency Rule: September 21, 2017  
Rescind Emergency Rule: October 7, 2017

**Annual Legislative Rulemaking Report**  
**Louisiana Department of Health / Bureau of Health Services Financing**  
**2017 Potpourri**

**1 2017 Second Quarter Hospital Stabilization Assessment**

Published: April 20, 2017

**2 2018 First Quarter Hospital Stabilization Assessment**

Published: June 20, 2017

**3 Public Hearing--Substantive Changes to Proposed Rule - Ambulatory Surgical Centers - Licensing Standards (LAC 481.4503, 4567, 4569 and 4573)**

Published: June 20, 2017

Public Hearing: July 27, 2017

**4 2018 Second Quarter Hospital Stabilization Assessment**

Published: October 20, 2017

**5 Public Hearing--Substantive Changes to Proposed Rule - Home and Community-Based Services Waivers - New Opportunities Waiver (LAC 50:XXI.13703 and 13707)**

Published: October 20, 2017

Public Hearing: November 29, 2017

**6 Pediatric Day Health Care Program - Moratorium on Provider Enrollment**

Published: November 20, 2017

**7 2018 Third Quarter Hospital Stabilization Assessment**

Published: December 20, 2017

**8 Healthcare Services Provider Fees - Emergency Ambulance Service Providers Fee Assessment**

Published: December 20, 2017

Annual Legislative Rulemaking Report  
Office of Aging and Adult Services  
2017 Regular Rulemaking Activity  
*Register Publication/Promulgation Dates Noted*

Louisiana Department of Health / Office of Aging and Adult Services/ Annual Rulemaking Report  
2017 Notices of Intent / Regular Rulemaking as Published in the Louisiana Register a publication of the Office of State Register

1 Notice of Intent: N/A

Notice of Intent:

Public Hearing:

Oversight Report:

Oversight Hearing:

Final Rule:

Annual Legislative Rulemaking Report  
Office of Aging and Adult Services  
2017 Emergency Rulemaking Activity  
*Register Publication/Promulgation Dates Noted*

Louisiana Department of Health / Office of Aging and Adult Services / Annual Rulemaking Report

2017 Emergency Rules / Regular Rulemaking as Published in the Louisiana Register a publication of the Office of State Register

1 Emergency Rule: N/A

Stop Orders are published in the official state journal The Advocate.



Annual Legislative Rulemaking Report  
Office of Aging and Adult Services  
2017 Potpourri Rulemaking Activity  
*Register Publication/Promulgation Dates Noted*

Louisiana Department of Health / Office of Aging and Adult Services / Annual Rulemaking Report  
2017 Potpourri / Regular Rulemaking as Published in the Louisiana Register a publication of the Office of State Register

1 Potpourri: N/A  
Notice:  
Public Hearing:

Annual Legislative Rulemaking Report

Office of Behavioral Health

2017 Regular Rulemaking Activity

*Register Publication/Promulgation Dates Noted*

Department of Health and Hospitals / Office of Behavioral Health/ Annual Rulemaking Report

2017 Notices of Intent / Regular Rulemaking as Published in the Louisiana Register a publication of the Office of State Register

1 NAME OF NOTICE OF INTENT N/A

Notice of Intent:

Public Hearing:

2nd Public Hearing:

Oversight Report:

Oversight Hearing:

Final Rule:

Annual Legislative Rulemaking Report  
Office of Behavioral Health  
2017 Emergency Rulemaking Activity

Department of Health and Hospitals / Office of Behavioral Health / Annual Rulemaking Report  
2017 Emergency Rules / Regular Rulemaking as Published in the Louisiana Register a publication of the Office of State Register

1 NAME OF RULE N/A

Emergency Rule:

Redeclared Emergency Rule:

Redeclared Emergency Rule:

Redeclared Emergency Rule:

Stop Orders are published in the official state journal The Advocate.

Annual Legislative Rulemaking Report

Office of Behavioral Health

Department of Health and Hospitals / Office of Behavioral Health/ Annual Rulemaking Report  
2017 Potpourri / Regular Rulemaking as Published in the Louisiana Register a publication of the Office of State Register

1 TITLE OF POTPOURRI N/A

Notice:

Public Hearing:



Department of Health / Office of \_\_\_ OCDD \_\_\_ / Annual Rulemaking Report  
2017 Notices of Intent / Regular Rulemaking as Published in the Louisiana Register a publication of the Office of State Register

**1 Individual and Family Support**

Notice of Intent: January 20, 2017  
Public Hearing: February 24, 2017  
2nd Public Hearing:  
Oversight Report: March 20, 2017  
Oversight Hearing:  
Final Rule: April 20, 2017

**2**

Notice of Intent:  
Public Hearing:

Oversight Report:  
Oversight Hearing:  
Final Rule:

**3 NAME OF NOTICE OF INTENT**

Notice of Intent:  
Public Hearing:  
Oversight Report:  
Oversight Hearing:  
Final Rule:

**4 NOTICE OF INTENT**

Notice of Intent:  
Public Hearing:  
First Oversight Report:  
Second Oversight Report:  
Oversight Hearing:  
Final Rule:

**5 NOTICE OF INTENT**

Notice of Intent:  
Public Hearing:  
First Oversight Report:  
Second Oversight Report:  
2nd Notice of Intent:  
Oversight Hearing:  
Final Rule:

**6 NOTICE OF INTENT**

Notice of Intent:  
Public Hearing:  
Notice of Intent:  
Public Hearing:  
First Oversight Report:  
Second Oversight Report:  
Oversight Hearing:  
Final Rule:

Department of Health / Office of \_\_\_ OCDD \_\_\_ / Annual Rulemaking Report

2017 Emergency Rules / Regular Rulemaking as Published in the Louisiana Register a publication of the Office of State Register

1 None

Emergency Rule:  
Redeclared Emergency Rule:  
Redeclared Emergency Rule:  
Redeclared Emergency Rule:

2 NAME OF RULE

Emergency Rule:  
Stop Order:  
Redeclared Emergency Rule:  
Redeclared Emergency Rule:  
Redeclared Emergency Rule:

3 NAME OF RULE

Emergency Rule:  
Stop Order:  
Redeclared Emergency Rule:  
Redeclared Emergency Rule:  
Redeclared Emergency Rule:

4 NAME OF RULE

Emergency Rule:  
Stop Order:  
Redeclared Emergency Rule:  
Redeclared Emergency Rule:  
Redeclared Emergency Rule:

Stop Orders are published in the official state journal The Advocate.

## Department of Health / Office of OCDD / Annual Rulemaking Report

2017 Potpourri / Regular Rulemaking as Published in the Louisiana Register a publication of the Office of State Register

### 1 None

Notice:

Public Hearing:

### 2 TITLE OF POTPOURRI

Notice:

Public Hearing:

### 3 TITLE OF POTPOURRI

Notice:

Public Hearing:

# Annual Legislative Rulemaking Report

## Office of Public Health

### 2017 Regular Rulemaking Activity

Register Publication/Promulgation Dates Noted

#### Department of Health and Hospitals / Office of Public Health / Annual Rulemaking Report Rulemaking as Published in the Louisiana Register a publication of the Office of State Register

##### Ground Water and Revised Total Coliform Regulations (LAC 51:XII.101, 311, 319, 325, 343, 901, 903, 905, 907, 911, 912, 913 and 1201)

Notice of Intent:	October 20, 2016
Public Hearing:	November 28, 2016
Public Hearing:	November 29, 2016
1st Oversight Report:	October 7, 2016
Oversight Hearing:	None Requested
2nd Oversight Report:	December 9, 2016
Final Rule:	January 20, 2017

##### Special Supplemental Nutrition Program for Women, Infants and Children (WIC) (LAC 48:V.4101, 4103, 4301, 4303, 4305, 4307, 4309, 4501, 4503, 4505, 4507, 4509, 4511, 4513)

Notice of Intent:	November 20, 2017	
Public Hearing:	None Requested	Under the provisions of §953(A)(2)(a), a public hearing was not held.
1st Oversight Report:	November 10, 2017	
Oversight Hearing:	None Requested	
2nd Oversight Report:	January 12, 2017	
Final Rule:	February 20, 2017	

##### Office of Public Health - Sanitary Code - Sewerage Outfall Paths (LAC 51:XIII.308)

Notice of Intent:	February 20, 2017	
Public Hearing:	None Requested	Under the provisions of §953(A)(2)(a), a public hearing was not held.
1st Oversight Report:	February 10, 2017	
Oversight Hearing:	None Requested	
2nd Oversight Report:	April 10, 2017	
Final Rule:	May 20, 2017	

##### Administrative Procedures (LAC 51:I.Chapter 1)

Notice of Intent:	April 20, 2017
Public Hearing:	May 30, 2017
1st Oversight Report:	April 10, 2017
Oversight Hearing:	None Requested
2nd Oversight Report:	June 30, 2017
Final Rule:	April 20, 2018

##### Dairy Products (LAC 51:VII.101)

Notice of Intent:	April 20, 2017
Public Hearing:	May 30, 2017
First Oversight Report:	April 10, 2017
Second Oversight Report:	June 9, 2017
Oversight Hearing:	None Requested
Final Rule:	July 20, 2017

##### Milk Products Laboratory Testing (LAC 51:VII.309)



**Annual Legislative Rulemaking Report**  
**Office of Public Health**  
**2017 Regular Rulemaking Activity**  
*Register Publication/Promulgation Dates Noted*

Notice of Intent:	April 20, 2017
Public Hearing:	May 30, 2017
First Oversight Report:	April 10, 2017
Second Oversight Report:	June 9, 2017
Oversight Hearing:	None Requested
Final Rule:	July 20, 2017

**Molluscan Shellfish Reuse (LAC 51:XXIII.2101)**

Notice of Intent:	April 20, 2017
Public Hearing:	May 30, 2017
First Oversight Report:	April 10, 2017
Second Oversight Report:	June 9, 2017
Oversight Hearing:	None Requested
Final Rule:	July 20, 2017

**Notice of Parental Rights Form (LAC 48:V.12317)**

Notice of Intent:	April 20, 2017
Public Hearing:	May 30, 2017
First Oversight Report:	April 10, 2017
Second Oversight Report:	June 9, 2017
Oversight Hearing:	None Requested
Final Rule:	July 20, 2017

**Office of Public Health - Water Works Construction, Operation and Maintenance (LAC 51:XII.Chapters 1, 2, and 3)**

Notice of Intent:	November 20, 2017
Public Hearing:	December 27, 2017
First Oversight Report:	November 9, 2017
Second Oversight Report:	January 9, 2017
Oversight Hearing:	None Requested
Final Rule:	February 20, 2017

Annual Legislative rulemaking Report  
Office Of Public Health  
2017 Emergency Rulemaking Activity

Department of Health and Hospitals / Office of Public Health / Annual Rulemaking Report  
Rulemaking as Published in the Louisiana Register a publication of the Office of State Register  
Office of Public Health - Added Controlled Dangerous Substances (LAC 46:LIII.2704)

Emergency Rule Declared:	January 6, 2017
ER Published:	January 20, 2017
Oversight Report:	January 9, 2017

**Burial or Cremation of Aborted Human Remains (LAC 51:XXVI.102)**

Emergency Rule Declared:	December 31, 2017
ER Published:	January 20, 2018
Oversight Report	December 31, 2017
Emergency Rule Declared:	August 20, 2017
ER Published:	September 20, 2017
Oversight Report	August 20, 2017
Emergency Rule Declared:	April 21, 2017
ER Published:	May 20, 2017
Oversight Report	April 21, 2017
Emergency Rule:	December 1, 2016
ER Published:	December 20, 2016
Oversight Report:	December 1, 2016

**Special Supplemental Nutrition Program for Women, Infants and Children (WIC) (LAC 48:V.4101, 4103, 4301, 4303, 4305, 4307, 4309, 4501, 4503, 4505, 4507, 4509, 4511, 4513)**

Emergency Rule:	October 1, 2016
ER Published:	October 20, 2016
Oversight Report:	September 28, 2016
ER Reddeclared:	January 29, 2017
Oversight Report:	January 5, 2017
ER Published:	January 20, 2017

**Added Controlled Dangerous Substances (LAC 46:LIII.2704)**

Emergency Rule Declared:	June 27, 2017
ER Published:	July 20, 2017
Oversight Report	June 30, 2017
Stop Order (Official State Journal):	Stop Orders are published in the official state journal <u>The Advocate</u> . August 6, 2017

**Annual Legislative Rulemaking Report**

**Office of Public Health**

**2017 Potpourri Regular Activity**

**Department of Health and Hospitals / Office of Public Health / Annual Rulemaking Report  
Rulemaking as Published in the Louisiana Register a publication of the Office of State Register**

**Office of Public Health, Bureau of Family Health - Public Notice of Title V MCH Block Grant**

Published:

March 20, 2017

**Department of Health and Hospitals / Office of Public Health / Annual Rulemaking Report**  
**Rulemaking as Published in the Louisiana Register a publication of the Office of State Register**

**Added Controlled Dangerous Substances (LAC 46:LIII.2704)**

Stop Order (Official State Journal):

August 6, 2017 Stop Orders are published in the official state journal [1](#)  
the Advocate



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