



# State of Louisiana

## Louisiana Department of Health

### MEMORANDUM

**DATE:** February 10, 2023

**TO:** Nursing Home Facilities  
Intermediate Care Facilities  
OAAS Support Coordinators  
OCDD Support Coordinators

**FROM:** Louisiana Medicaid

**SUBJECT:** CMS issues updated guidance related to patient liability income and reductions

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The joint Interim Final Rule with Comment (IFC) issued by the Centers for Medicare & Medicaid Services (CMS), the Department of Labor, and the Treasury Department implemented additional COVID-19 flexibilities during the public health emergency. The IFC outlines new flexibilities under the Families First Coronavirus Response Act's maintenance of effort and continuous enrollment requirements for states utilizing the 6.2% enhanced federal medical assistance percentage (FMAP), including changes related to patient liability income (PLI).

States may now make programmatic changes to coverage, cost-sharing, and beneficiary liability without violating the requirements for receiving the temporary FMAP increase. In other words, if a change in circumstance (e.g., income increases or decreases or new deductions arise) would impact the beneficiary's PLI, then Louisiana Medicaid must act on that change and adjust the PLI accordingly, with appropriate notice.

Effective February 11, 2023, Louisiana Medicaid will finalize the retroactive patient liability adjustments that haven't been completed thus far. Each month the retroactive patient liability adjustments will continue to run for the entire period of March 2020 to the current month for any necessary adjustments.

Upon receipt of notices, providers must submit a 148 PLI Form and reimburse the beneficiary within the timelines dictated by State rule. Louisiana Medicaid will continue to review patient liability and make adjustments where necessary for the duration of the public health emergency and beyond based on federal guidance.

**CMS Guidance on Patient Liability Income**

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If you have any questions about changes to income or PLI, please reach out to your assigned Medicaid analyst.