



**Louisiana Department of Health
Informational Bulletin 21-XX
Date**

Bipartisan Budget Act of 2018 and Changes to Medicaid Provisions for “Pay and Chase” Passed April 2019 – Third Party Liability in Medicaid and CHIP

The Louisiana Department of Health must comply with the Bipartisan Budget Act of 2018 (Pub. L. 115-123), which includes several provisions that modify third party liability (TPL) rules for certain services and changes made to the Bipartisan Budget Act of 2013.

Effective for dates of service on or after April 1, 2021, LDH and the Medicaid Managed Care Organizations (MCO) will be making the the following changes to system logic.

1. LDH will initiate standard coordination of benefits cost avoidance for prenatal services, labor and delivery, and postpartum care.
 - a. Specifically, these services defined with the following diagnosis codes (Diagnosis Codes Prenatal Services) that will now be cost avoided.
2. LDH will initiate a “wait and see” period on claims for a service that is provided to an individual on whose behalf child support enforcement is being carried out by the state Title IV-D agency.
 - a. Wait and see is defined as payment of a claim only after documentation is submitted to the Fiscal Intermediary or MCO demonstrating that 100 days have elapsed since the provider billed the responsible third party and remains to be paid.
 - b. The provider can only bill Medicaid for the balance not paid for by the liable third party and payment can only be made for up to the Medicaid allowable amount.
 - c. For FFS documentation requirements for the wait and see period, see Provider Notice XX for the attestation form (“Wait and See” Provider Notice).
3. “Pay and chase” is still required for Preventive Pediatric Services (including EPSDT).

Questions regarding this IB should be directed to tpl.inquires@la.gov.