



**State of Louisiana**  
Louisiana Department of Health  
Bureau of Health Services Financing

**MEMORANDUM**

**DATE:** September 7, 2023

**TO:** ICF/IIDs and Nursing Facilities

**FROM:** Tara Leblanc, Medicaid Director  
Kimberly Sullivan, Interim Medicaid Director

**SUBJECT:** Per diem rate recoupment for failure to timely report Long Term Care residents' excess resources to LDH

*\*This notice supersedes the notice issued to providers by LDH on September 6, 2023, which listed incorrect contact information for the Long Term Care Unit.\**

This notice applies to all Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IIDs) and Nursing Facilities (NFs) with Medicaid beneficiaries enrolled in the Long Term Care Program. Please be advised that effective October 1, 2023, if a Long Term Care resident's personal fund account(s) exceeds the \$2,000.00 limit,<sup>1</sup> as explained below, the Louisiana Department of Health (LDH) will recoup the facility's applicable per diem rates. LDH reminds facilities of their obligations and reinforces that a facility's noncompliance with the applicable laws and policy will subject the facility to the appropriate sanctions.

**Obligations for ICF/IIDs:**

On July 20, 2018, LDH sent notice to all ICF/IIDs, which clarified the procedure for reporting a resident's excess resources to LDH.<sup>2</sup> The 2018 notice explained that if a resident's personal funds account balance exceeds \$2,000 as of the first moment of the first day of the month, the ICF/IID must report the excess balance to LDH within 10 calendar days from the date the facility obtained knowledge of the excess balance.<sup>3</sup> The 2018 notice reminded ICF/IIDs that the provider manual requires the facilities to

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<sup>1</sup> See Louisiana Department of Health, LOUISIANA MEDICAID ELIGIBILITY MANUAL at § Z-900 (Resource Limits by Program) and § H-800 (Long Term Care), <https://ldh.la.gov/page/1681> (last accessed August 29, 2023).

<sup>2</sup> Louisiana Department of Health, "Procedure Clarification for Reporting Excess Resources to Medicaid" (July 20, 2018), [https://ldh.la.gov/assets/medicaid/rateaudit/docs/Revised\\_memo\\_to\\_ICF-ID\\_facilities-Final\\_Draft.doc](https://ldh.la.gov/assets/medicaid/rateaudit/docs/Revised_memo_to_ICF-ID_facilities-Final_Draft.doc).

<sup>3</sup> *Id.*

reconcile personal fund accounts at least monthly.<sup>4</sup> Additionally, LDH regulations require ICF/IIDs to reconcile a resident's personal funds account at least monthly. 50 LAC Pt VII, §30709.

Please note that LDH retains the rights to audit a facility's resident's personal funds account, and the facility must cooperate with the audit process. 50 LAC Pt VII, § 32909.

**Obligations for Nursing Facilities:**

On August 29, 2017, LDH sent notice to NFs administrators, reminding the Long Term Care facilities of their duties with respect to "resident patient funds accounts."<sup>5</sup> The 2017 notice makes clear that if the NF accepts a fiduciary role over a resident's personal funds, then the NF must monitor the resident's patient fund account balance and report changes that could affect a resident's eligibility for Medicaid (*e.g.*, resident's account balance exceeds \$2000.00 resource limit for Long Term Care Medicaid).<sup>6</sup> Refer to 50 LAC Pt II, § 10161(J) for more details regarding NF obligations when managing residents' finances.

Please note that LDH retains the rights to audit a facility's resident's personal funds account, and the facility must cooperate with the audit process. 50 LAC Pt II, § 10153.

**How to Report Long Term Care Residents' Excess Resources to LDH:**

When a Long Term Care Medicaid beneficiary's personal funds account balance exceeds \$2,000 as of the first moment of the first day of the month, the ICF/IID or NF must report the excess balance to LDH within 10 calendar days from the date the facility is aware of the excess balance.

Facilities should report a resident's excess balance to LDH by emailing [ltcprocessing@la.gov](mailto:ltcprocessing@la.gov). Facilities should include the following text in the email's subject line: NOTIFICATION OF RESIDENT'S EXCESS RESOURCES.

The facility's reporting email to LDH should include the following information:

- The resident's personal identifiers;
- The resident's personal funds account balance;
- The date the facility became aware of the excess balance in the resident's personal funds account;
- The date the facility last reconciled the resident's personal funds account and/or conducted an accounting of the resident's personal funds account; and
- Any supporting documentation.

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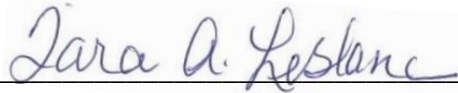
<sup>4</sup> See Louisiana Department of Health, INTERMEDIATE CARE FACILITIES FOR INDIVIDUALS WITH INTELLECTUAL DISABILITIES (ICF/IID) PROVIDER MANUAL at p. 60 of 129, [https://www.lamedicaid.com/provweb1/Providermanuals/manuals/ICF\\_DD/ICF\\_DD.pdf](https://www.lamedicaid.com/provweb1/Providermanuals/manuals/ICF_DD/ICF_DD.pdf) (last accessed August 29, 2023).

<sup>5</sup> Louisiana Department of Health, "Resident Patient Fund Account" (August 29, 2017) [https://ldh.la.gov/assets/medicaid/rateaudit/docs/Resident\\_Patient\\_Fund\\_Accounts\\_8-29-2017.pdf](https://ldh.la.gov/assets/medicaid/rateaudit/docs/Resident_Patient_Fund_Accounts_8-29-2017.pdf).

<sup>6</sup> *Id.*

Facilities may also report a resident's excess resources to the Long Term Care Processing Unit through any of these methods:

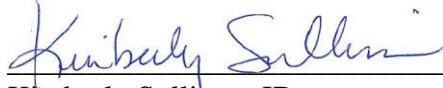
- **Provider Portal:** <https://sspweb.lameds.ldh.la.gov/selfservice/>
- **Phone:** 1-800-230-0690
- **Fax:** 225-389-8019



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Tara Leblanc

Medicaid Executive Director



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Kimberly Sullivan, JD

Interim Medicaid Executive Director