



**State of Louisiana**  
Louisiana Department of Health  
Office of the Secretary

**To:** The Honorable John Bel Edwards, Governor, State of Louisiana (Via Email)  
The Honorable Jeff Landry, Attorney General, Louisiana Department of Justice (apa.submission@ag.louisiana.gov)  
The Honorable Patrick Page Cortez, President, Louisiana Senate (apa.senatepresident@legis.la.gov)  
The Honorable Clay Schexnayder, Speaker, Louisiana House of Representatives (apa.house speaker@legis.la.gov)  
Catherine Brindley, Editor, *Louisiana Register* (reg.submission@la.gov)  
Senate Health and Welfare Committee (apa.s-h&w@legis.la.gov)  
House Health and Welfare Committee (apa.h-hw@legis.la.gov)

**From:** Dr. Courtney N. Phillips, Secretary, Louisiana Department of Health

**Date:** August 8, 2022

**Re:** Justification of Promulgation of Emergency Rule  
Pediatric Day Health Care Program Reimbursement Rate Increase (LAC 50:XV.28101)

**MEMORANDUM**

In accordance with the Administrative Procedure Act (La. R.S. 49:950 *et seq.*) as amended, the Louisiana Department of Health is submitting the following emergency rule that amends Pediatric Day Health Care Program Reimbursement Rate Increase (LAC 50:XV.28101).

Should you have any questions or require additional information regarding this matter, please do not hesitate to contact Tara A. LeBlanc, at [Tara.LeBlanc@la.gov](mailto:Tara.LeBlanc@la.gov).

Attachments: Emergency Rule – Pediatric Day Health Care Program Reimbursement Rate Increase (LAC 50:XV.28101)

**Cc:** Tara A. Leblanc, LDH Medicaid Director  
Veronica Dent, LDH Medicaid Program Manager  
Bethany Blackson, LDH Legislative Liaison  
Catherine Brindley, *Louisiana Register* Editor, Office of the State Register

DECLARATION OF EMERGENCY

Department of Health  
Bureau of Health Services Financing

Pediatric Day Health Care Program  
Reimbursement Rate Increase  
(LAC 50:XV.28101)

The Department of Health, Bureau of Health Services Financing amends LAC 50:XV.28101 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Emergency Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:953.1, and shall be in effect for the maximum period allowed under the Act or until adoption of the final Rule, whichever occurs first.

Act 199 of the 2022 Regular Session of the Louisiana Legislature appropriated funds to the Department of Health to increase reimbursement rates for pediatric day health care (PDHC) centers. In compliance with Act 199, the Department of Health, Bureau of Health Services Financing amends the provisions governing reimbursement in the PDHC Program in order to increase daily, hourly, and transportation rates for PDHC centers.

This action is being taken to promote the health and welfare of Medicaid beneficiaries by ensuring continued provider participation in the Medicaid Program. It is anticipated that

implementation of this Emergency Rule will increase expenditures in the Medicaid Program by approximately \$5,252,932 for state fiscal year 2022-2023.

Effective August 8, 2022, the Department of Health, Bureau of Health Services Financing amends the provisions governing reimbursement for pediatric day health care centers in order to increase reimbursement rates.

Title 50

PUBLIC HEALTH-MEDICAL ASSISTANCE  
Part XV. Services for Special Populations  
Subpart 19. Pediatric Day Health Care Program

Chapter 281. Reimbursement Methodology

§28101. General Provisions

A. - B. ...

C. ~~Effective for dates of service on or after July 1, 2012, the reimbursement for pediatric day health care services shall be reduced by 3.7 percent of the rates in effect on June 30, 2012.~~ Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 36:1558 (July 2010), amended LR 39:1286 (May 2013), amended by the Department of Health, Bureau of Health Services Financing, LR 43:83 (January 2017), LR 48:

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Interested persons may submit written comments to Tara A. LeBlanc, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030. Ms. LeBlanc is responsible for responding to inquiries regarding this Emergency Rule. A copy of this Emergency Rule is available for review by interested parties at parish Medicaid offices.

Dr. Courtney N. Phillips

Secretary

*acj 8/8/22*