

DECLARATION OF EMERGENCY

**Department of Health
Bureau of Health Services Financing**

**Medicaid Program
Repeal of Reimbursement Rate Reductions and
Program and Services Terminations**

The Department of Health, Bureau of Health Services Financing hereby rescinds the July 1, 2018 Emergency Rules implementing reimbursement rate reductions and program and services terminations in the Medical Assistance Program as authorized by R.S. 36:254. These Emergency Rules were adopted on May 7, 2018, published in the major daily newspapers and the May 20, 2018 edition of the *Louisiana Register*. This Emergency Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:953(B)(1) et seq., and shall be in effect for the maximum period allowed under the Act or until adoption of the final Rule, whichever occurs first.

The Department of Health, Bureau of Health Services Financing, the Office of Aging and Adult Services, the Office for Citizens with Developmental Disabilities, and the Office of Behavioral Health adopted provisions which reduced the reimbursement rates for designated services and terminated certain programs and services covered in the Medicaid Program (*Louisiana Register*, Volume 44, Number 5). The department has now determined that it is necessary to rescind all of the July

1, 2018 Emergency Rules which reduced the Medicaid reimbursement rates for designated services and terminated certain programs and services. Effective immediately, upon adoption of this Emergency Rule, the department shall return to the provisions in place governing these services and programs in the *Louisiana Administrative Code*.

Effective June 16, 2018, the Department of Health, Bureau of Health Services Financing rescinds the following Emergency Rules which were published in the May 20, 2018 edition of the *Louisiana Register* on pages 895-904:

1. Adult Behavioral Health Services - Termination of Community Psychiatric Support and Treatment Services and Psychosocial Rehabilitation Services (LAC 50:XXXIII.Chapters 63 and 65);

2. Ambulatory Surgical Centers (LAC 50:XI.Chapter 75);

3. Behavioral Health Services - Elimination of Outpatient Substance Use Disorders Services (LAC 50:XXXIII.14101, 14303 and 14501);

4. Disproportionate Share Hospital Payments (LAC 50:V.2707 and 3103);

5. Medicaid Eligibility - Medically Needy Program Termination (LAC 50:III.939 and 2313);

6. Medicaid Eligibility - Provisional Medicaid

Program Termination (LAC 50:III.2305);

7. Medicaid Eligibility - Special Income Level Eligibility Termination;

8. Nursing Facilities - Reimbursement Methodology (LAC 50:II.20001);

9. Nursing Facilities - Reimbursement Methodology - Leave of Absence Days (LAC 50:II.10147 and 20021); and

10. Pediatric Day Health Care Program Termination (LAC 50:XV.Chapters 275-281).

Interested persons may submit written comments to Jen Steele, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030 or by email to MedicaidPolicy@la.gov. Ms. Steele 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.

Rebekah E. Gee MD, MPH

Secretary