

DECLARATION OF EMERGENCY

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

**Inpatient Hospital Services
Office of Public Health Newborn Screening Payments
(LAC 50:V.115)**

The Department of Health, Bureau of Health Services Financing adopts LAC 50:V.115 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(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 provides reimbursement through the Medical Assistance Program to the Office of Public Health (OPH) for laboratory services rendered in an acute care inpatient hospital setting in compliance with the requirements of Act 840 of the 1997 Regular Session of the Louisiana Legislature.

The department promulgated an Emergency Rule which amended the provisions governing inpatient hospital services in order to establish Medicaid reimbursement to OPH for newborn screenings provided in an acute care inpatient hospital setting, and to ensure that these provisions are promulgated in a clear and concise manner in the *Louisiana Administrative Code* (*Louisiana Register*, Volume 43, Number 8). The department has now

determined that it is necessary to amend the provisions of the August 5, 2017 Emergency Rule in order to clarify the legislatively mandated requirements for OPH newborn screenings governed by these provisions. This action is being taken to promote the health and welfare of Medicaid recipients by ensuring continued access to inpatient hospital services.

Effective October 20, 2017, the Department of Health, Bureau of Health Services Financing amends the provisions of the August 5, 2017 Emergency Rule governing inpatient hospital services to establish reimbursement to OPH for legislatively mandated newborn screenings provided in an acute care inpatient hospital setting.

Title 50
PUBLIC HEALTH-MEDICAL ASSISTANCE
Part V. Hospital Services
Subpart 1. Inpatient Hospitals Services

Chapter 1. General Provisions

§115. Office of Public Health Newborn Screenings

A. The Department of Health, Bureau of Health Services Financing shall provide reimbursement to the Office of Public Health (OPH) through the Medical Assistance Program for newborn screenings performed by OPH on specimens taken from children in acute care hospital settings.

B. Reimbursement

1. Effective for dates of service on or after August 5, 2017, claims submitted by OPH to the Medicaid Program for the provision of [legislatively mandated](#) inpatient hospital newborn

screenings shall be reimbursed outside of the acute hospital per diem rate for the inpatient stay.

a. The hospital shall not include any costs related to ~~these inpatient~~ newborn screenings services provided and billed by OPH in its Medicaid cost report(s).

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 43:

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 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