

NOTICE OF INTENT

Department of Health Bureau of Health Services Financing

Refugee Medical Assistance (LAC 50:XXXI)

The Department of Health, Bureau of Health Services Financing proposes to amend LAC 50:XXXI in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

In order to continue the provisions of the July 1, 2025 Emergency Rule (*Louisiana Register*, Volume 51, Number 7) the Department of Health, Bureau of Health Services Financing proposes to amend the provisions governing refugee medical assistance (RMA) to shorten the period that assistance is granted through the RMA program from one year to four months, and to outline the termination conditions for RMA services. This action is being done to comply with a notice from the Department of Health and Human Services, Office of Refugee Resettlement. Office of Refugee Resettlement has determined that it must shorten the RMA eligibility period to four months to avoid a significant budget shortfall.

Title 50

PUBLIC HEALTH—MEDICAL ASSISTANCE

Part XXXI. Refugee Medical Assistance

Chapter 1. Refugee Medical Assistance Program

§101. General Provisions

A. Repealed.

B. The Refugee Medical Assistance Program (RMA) provides medical assistance to individuals who meet the eligibility requirements and conditions set forth in 45 CFR part 400 subpart G.

C. Refugee medical assistance is available to all individuals with the immigration status of refugee or asylee.

D. All recipients who receive refugee cash assistance through the Office of Refugee Resettlement, and who are not eligible for Medicaid or SCHIP program, shall be certified for RMA.

1. Receipt or application for refugee cash assistance is not a requirement of the RMA program.

E. A refugee who has been certified in a regular Medicaid program and loses that coverage because of increased earnings from employment, and is within the eligibility time period, shall be transferred to RMA.

F. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Public Law 82-414, 8 U.S. Code 1522(e)(5).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 35:1112 (June 2009), amended by the Department of Health, Bureau of Health Services Financing, LR 51:

§103. Eligibility Requirements

A. Individuals may qualify for the RMA program if they meet the following requirements:

1. has an immigration status recognized by the Office of Refugee Resettlement (ORR) through policy or federal notice that qualifies for resettlement assistance;

2. has income and resources that do not exceed the guidelines set forth in 42 CFR 435.831, as reflected in the State approved Title XIX Medicaid plan;

3. is not otherwise eligible for Medicaid or SCHIP;

4. provides the name of the resettlement agency that resettled them, if applicable;

- a. Repealed.

5. not enrolled as a full-time student in a higher education program, except where such enrollment is approved by the State or its designee.

B. An individual does not need to apply for or receive refugee cash assistance (RCA) in order to qualify for the RMA.

1. Repealed.

C. All recipients of RCA who are not otherwise eligible for Medicaid or SCHIP are eligible for RMA.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Public Law 82-414, 8 U.S. Code 1522(e)(5).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 35:1112 (June 2009), amended by the Department of Health, Bureau of Health Services Financing, LR 51:

§107. Eligibility Period

A. Repealed.

B. The RMA eligibility period shall be determined in accordance with 45 CFR 400.211.

1. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Public Law 82-414, 8 U.S. Code 1522(e)(5).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 35:1113 (June 2009), amended by the Department of Health, Bureau of Health Services Financing, LR 51:

§108. Termination of Services

A. RMA benefits shall terminate upon the earliest of the following:

1. the individual's eligibility period expires;
2. the individual enrolls in Medicaid or SCHIP;

3. termination of ORR eligible immigration status;
or

4. relocation from the state of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S.
36:254 and Public Law 82-414, 8 U.S. Code 1522 (e)(5).

HISTORICAL NOTE: Promulgated by the Department of
Health, Bureau of Health Services Financing, LR 51:

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.

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of
the Louisiana Legislature, the impact of this proposed Rule on
the family has been considered. It is anticipated that this
proposed Rule will have a negative impact on family functioning,
stability and autonomy as described in R.S. 49:972 since it
reduces the amount of time beneficiaries will receive
assistance.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of
the Louisiana Legislature, the poverty impact of this proposed
Rule has been considered. It is anticipated that this proposed

Rule will have a negative impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973, since it reduces the amount of time beneficiaries will receive assistance.

Small Business Impact Analysis

In compliance with the Small Business Protection Act, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will have no impact on small businesses.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, no direct or indirect cost to the provider to provide the same level of service, and will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

Public Comments

Interested persons may submit written comments to Kimberly Sullivan, JD, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030. Ms. Sullivan is responsible

for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is September 19, 2025.

Public Hearing

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on September 9, 2025. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on September 25, 2025 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after September 9, 2025. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing.

Bruce D. Greenstein

Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Refugee Medical Assistance

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 25-26 since the Refugee Medical Assistance (RMA) Program is 100% federally funded. In FY 25-26, \$540 (\$270 SGF and \$270 FED) will be expended for the state's administrative expense for promulgation of this proposed rule and the final rule.

The proposed rule continues the provisions of the July 1, 2025, Emergency Rule, which shortens the period that assistance is granted through the RMA Program from one year to four months and outlines the conditions for the termination of RMA services.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that implementation of this proposed rule will lead to an indeterminable decrease to federal revenue collections, as a result of shortening the eligibility period for RMA services from one year to four months. In FY 25-26, \$270 will be collected for the federal share of the administrative expense for promulgation of this proposed rule and the final rule.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY
AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS
(Summary)

The proposed rule continues the provisions of the July 1, 2025 Emergency Rule, which shortens the period that assistance is granted through the RMA Program from one year to four months and outlines the conditions for the termination of RMA services. Proposed rule is anticipated to have an indeterminable impact on access to essential healthcare and support services for refugees during the shortened period of the RMA Program. To the extent that refugees require medical attention during the time period between five (5) and twelve (12) months of initial resettlement, costs will be passed on to refugees, providers, and Medicaid through Uncompensated Care Costs (UCC). It is anticipated that implementation of this proposed rule will result in indeterminable costs to providers but will have no impact on small businesses in FY 25-26, FY 26-27, and FY 27-28.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This proposed rule has no known effect on competition and employment.