

FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES

Person  
Preparing  
Statement: Veronica Dent Dept.: Health

Phone: 324-3228 Office: Bureau of Health Services Financing

Return  
Address: P.O. Box 91030 Rule  
Title: Home and Community-Based  
Baton Rouge, LA Services Waiver  
Supports Waiver  
Dental Services

Date Rule  
Takes Effect: June 20, 2022

SUMMARY  
(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

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

It is anticipated that implementation of this proposed rule will result in increased state costs of approximately \$1,890 for FY 21-22, \$1,061,568 for FY 22-23 and \$1,118,034 for FY 23-24. It is anticipated that \$3,780 (\$1,890 SGF and \$1,890 FED) will be expended in FY 21-22 for the state's administrative expense for promulgation of this proposed rule and the final rule.

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


It is anticipated that the implementation of this proposed rule will increase statutory dedicated revenue collections by approximately \$60,481 for FY 22-23 and \$83,811 for FY 23-24. In addition, it is anticipated that the implementation of this proposed rule will increase federal revenue collections by approximately \$2,327,226 for FY 22-23 and \$2,492,729 for FY 23-24. It is anticipated that \$1,890 will be collected in FY 21-22 for the federal share of the 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)

This proposed rule, in compliance with Act 450 of the 2021 Regular Session of the Louisiana Legislature, amends the provisions governing the Supports Waiver (SW) in order to include dental coverage as a covered service. In addition, it also proposes to add waiver flexibilities in the delivery of SW services including allowing family as paid caregivers and shared services. This proposed rule will benefit SW beneficiaries by covering adult dental services and allowing flexibility in delivery of services. Providers will benefit from implementation of this proposed rule as it is anticipated that it will increase payments for services by approximately \$3,449,275 for FY 22-23 and \$3,694,574 for FY 23-24.

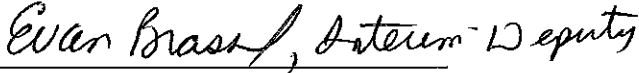
IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule has no known effect on competition and employment.

  
\_\_\_\_\_  
Signature of Agency Head or Designee

Patrick Gillies, Medicaid Executive Director  
\_\_\_\_\_  
Typed Name & Title of Agency Head or Designee

March 8, 2022  
\_\_\_\_\_  
Date of Signature

  
\_\_\_\_\_  
Legislative Fiscal Officer or Designee

*Fiscal Officer*

3/8/22  
\_\_\_\_\_  
Date of Signature

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

This proposed rule, in compliance with Act 450 of the 2021 Regular Session of the Louisiana Legislature, amends the provisions governing Supports Waiver (SW) in order to include dental coverage as a covered service. In addition, it also proposes to add waiver flexibilities in the delivery of SW services including allowing family as paid caregivers and shared services.

- B. Summarize the circumstances, which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

Act 450 of the 2021 Regular Session of the Louisiana Legislature directed the Department of Health to provide dental care to each person age 21 or older enrolled in any Medicaid waiver program for persons with developmental or intellectual disabilities. In compliance with Act 450, the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities propose to amend the provisions governing the Supports Waiver in order to add adult dental services as a covered service. The department also proposes to amend the provisions governing delivery of services in the Supports Waiver under certain conditions including allowing family members as paid caregivers and shared services.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session

- (1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

Yes. It is anticipated that implementation of this proposed rule will result in increased programmatic costs of approximately \$3,780 for FY 21-22 \$3,449,275 for FY 22-23, and \$3,694,574 for FY 23-24. In FY 21-22, \$3,780 is included for the state's administrative expense for promulgation of this proposed rule and the final rule.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) \_\_\_\_\_ Yes. If yes, attach documentation.

(b)   X   NO. If no, provide justification as to why this rule change should be published at this time

Act 119 of the 2021 Regular Session of the Louisiana Legislature allocated funds to the Medical Vendor Program for payments to providers and the operation of the Medicaid Program, and thereby, authorizes the expenditure of these funds. Implementation of this proposed Rule will be beneficial to SW recipients by adding adult dental services and allowing flexibilities in delivery of waiver services.

FISCAL AND ECONOMIC IMPACT STATEMENT  
WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY 22	FY 23	FY 24
Personal Services			
Operating Expenses	\$0	\$0	\$0
Professional Services			
Other Charges	\$3,780	\$3,449,275	\$3,694,574
Equipment			
Major Repairs & Constr.			
TOTAL	\$3,780	\$3,449,275	\$3,694,574
POSITIONS (#)			

2. Provide a narrative explanation of the costs or savings shown in "A. 1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

The expenses reflected above are the estimated increases in expenditures in the Medicaid program. In FY 21-22, \$3,780 is included for the state's administrative expense for promulgation of this proposed rule and the final rule.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 22	FY 23	FY 24
State General Fund	\$1,890	\$1,061,568	\$1,118,034
Agency Self-Generated			
Dedicated	\$0	\$60,481	\$83,811
Federal Funds	\$1,890	\$2,327,226	\$2,492,729
Other (Specify)			
TOTAL	\$3,780	\$3,449,275	\$3,694,974

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

Yes, sufficient funds are available to implement this rule.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

The proposed rule has no known impact on local governmental units.

2. Indicate the sources of funding of the local governmental unit, which will be affected by these costs or savings.

There is no known impact on the sources of local governmental unit funding.

FISCAL AND ECONOMIC IMPACT STATEMENT  
WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

REVENUE INCREASE/DECREASE	FY 22	FY 23	FY 24
State General Fund			
Agency Self-Generated			
Dedicated Funds*	\$0	\$60,481	\$83,811
Federal Funds	\$1,890	\$2,327,226	\$2,492,729
Local Funds			
<b>TOTAL</b>	<b>\$1,890</b>	<b>\$2,387,707</b>	<b>\$2,576,540</b>

\*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

The amounts reflected above are the estimated increase in the federal share of expenditures in the Medicaid program. In FY 21-22, \$1,890 will be collected for the federal share of the administrative expense for promulgation of this proposed rule and the final rule.

**FISCAL AND ECONOMIC IMPACT STATEMENT  
WORKSHEET**

**III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS**

- A. What persons, small businesses, or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

This proposed rule, in compliance with Act 450 of the 2021 Regular Session of the Louisiana Legislature, amends the provisions governing the Supports Waiver (SW) in order to include dental coverage as a covered service. In addition, it also proposes to add waiver flexibilities in the delivery of SW services including allowing family as paid caregivers and shared services. This proposed rule will benefit SW beneficiaries by covering adult dental services and allowing flexibility in delivery of services.

- B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

Providers will benefit from implementation of this proposed rule as it is anticipated that it will increase payments for services by approximately \$3,449,275 for FY 22-23 and \$3,694,574 for FY 23-24.

**IV. EFFECTS ON COMPETITION AND EMPLOYMENT**

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

This rule has no known effect on competition and employment.