

**DECLARATION OF EMERGENCY**

**Department of Health and Hospitals  
Bureau of Health Services Financing**

**State Children's Health Insurance Program  
Coverage of Prenatal Care Services  
(LAC 50:III.20301 and 20303)**

The Department of Health and Hospitals, Bureau of Health Services Financing amends LAC 50:III.20301 and 20303 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XXI of the Social Security Act. This Emergency Rule is promulgated in accordance with 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 and Hospitals, Office of the Secretary, Bureau of Health Services [Financing](#) promulgated a Rule which adopted provisions to expand coverage to children under Title XXI of the Social Security Act by implementing a stand-alone State Children's Health Insurance Program (SCHIP) to provide coverage of prenatal care services to low-income, non-citizen women and to clarify the service limits and prior authorization criteria for SCHIP prenatal care services (*Louisiana Register*, Volume 35, Number 1).

The Department of Health and Hospitals, Bureau of Health Services Financing ~~has now determined it is necessary to amend~~

promulgated an Emergency Rule which amended the provisions of the January 20, 2009 Rule in order to include Medicaid coverage for the unborn child(ren) of ~~all citizen and non-citizen~~ any pregnant ~~women~~ woman with income between 138 percent and 214 percent of the Federal Poverty Level (FPL) (Louisiana Register, Volume 40, Number 1). The department now proposes to amend the December 31, 2013 Emergency Rule in order to clarify these provisions. This action is being taken to ~~increase recipient~~ promote the health and welfare of pregnant women by increasing access to prenatal care services that will ~~promote~~ support better health outcomes for babies. ~~It is estimated that the implementation of this Emergency Rule will increase expenditures in the SCHIP Program by approximately \$11,549,566 for fiscal year 2014.~~

Effective ~~December 31, 2013~~ April 20, 2014, the Department of Health and Hospitals, Bureau of Health Services Financing amends the provisions of the December 31, 2013 Emergency Rule governing the State Children's Health Insurance Program coverage of prenatal care services.

**Title 50**  
**PUBLIC HEALTH-MEDICAL ASSISTANCE**  
**Part III. Eligibility**  
**Subpart 11. State Children's Health Insurance Program**  
**Chapter 203. Prenatal Care Services**  
**§20301. General Provisions**

A. ...

B. Effective December 31, 2013, coverage of SCHIP

prenatal care services shall be expanded to include ~~citizen~~any  
pregnant ~~women~~woman with income between 138 percent and 214  
percent of the FPL.

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

HISTORICAL NOTE: Promulgated by the Department of Health  
and Hospitals, Office of the Secretary, Bureau of Health  
Services Financing, LR 35:72 (January 2009), amended by the  
Department of Health and Hospitals, Bureau of Health Services  
Financing, LR: 40

**§20303. Eligibility Criteria**

A. - B. ...

C. Recipients must have family income at or below ~~200~~214  
percent of the FPL.

1. ~~Effective December 31, 2013 recipients must have  
family income at or below 214 percent of the FPL.~~

D. - E. ...

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

HISTORICAL NOTE: Promulgated by the Department of Health  
and Hospitals, Office of the Secretary, Bureau of Health  
Services Financing, LR 35:72 (January 2009), amended by the

Department of Health and Hospitals, Bureau of Health Services  
Financing, LR: 40

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 J. Ruth Kennedy, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030 [or by email to MedicaidPolicy@la.gov](#). ~~She~~ [Ms. Kennedy](#) 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.

Kathy H. Kliebert

Secretary