

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: LOUISIANA

Requirements for Third Party Liability
Payment of Claims

Citation

4.22-B

Section 1902(a)(25)(E)
42 CFR 433.139(b)(3)(i)

(1) The State will make payment for pediatric preventive services, including early and periodic screening, diagnosis, and treatment services, without regard to third party liability and seek reimbursement from any liable third party to the extent of such legal liability.

Section 1902(a)(25)(F)
42 CFR 433.139(b)(3)(ii)

(2) For services covered under the plan that are provided to an individual on whose behalf child support enforcement is being carried out by the State Title IV-D agency, the State will make payment for such services without regard to third party liability that is derived (through insurance or otherwise) from the parent whose obligation to pay support is being enforced by the State Title IV-D agency, and seek reimbursement from such liable third party to the extent of legal liability, under the following conditions:

- a) The provider first bills the third party for the services.
- b) At least 100 days have elapsed since the date the provider initially billed the third party.
- c) The provider has not received payment for the services.
- d) An attestation form executed by the provider is attached to the claim certifying that conditions (a) through (c) have been met.

Section 1902(a)(25)(E)
42 CFR 433.139(b)(3)(i)

(3) The State shall make payments without regard to third party liability for pediatric preventive services unless a determination related to cost-effectiveness and access to care that warrants cost avoidance for 90 days has been made.

Section 1902(a)(25)(E)

(4) The State will use standard coordination of benefits cost avoidance when processing claims for prenatal services, labor and delivery, and postpartum care claims.

42 CFR 433.139(f)(2)

(5) Third party recovery for trauma and health claims
Trauma claims: The State will seek recovery of reimbursement from the liable third party on all claim types when the accumulated total of all claim types equals \$500 or more.

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Health claims: The State will seek recovery of reimbursement from the liable third party on all claim types, when the accumulated total of all claim types equals \$100 or more.

42 CFR 433.139(f)(3)

(6) Third party recovery for trauma and health claims

Trauma claims: The State will seek recovery of reimbursement from a particular liable third party on all claim types when the accumulated total of all claim types equals \$500 or more.

Health claims: The State will seek recovery of reimbursement from a particular liable third party on all claim types, when the accumulated total of all claim types equals \$100 or more.