

2021 Regular Session

HOUSE BILL NO. 570

BY REPRESENTATIVE LYONS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MEDICAID: Provides for payment enhancements to compensate nonemergency medical transportation providers for cost increases in that industry

1 AN ACT

2 To enact Part VI of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 40:1257.1 through 1257.4, relative to nonemergency,
4 non-ambulance medical transportation providers enrolled in the state Medicaid
5 program; to provide for enhanced monthly payments to such providers by the
6 Louisiana Department of Health; to provide for the calculation of, and to set limits
7 on, such monthly payment amounts; to make the payments contingent upon federal
8 approval; to provide for administrative rulemaking; to provide for a termination date;
9 and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Part VI of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of
12 1950, comprised of R.S. 40:1257.1 through 1257.4, is hereby enacted to read as follows:

13 PART VI. TRANSPORTATION PROGRAM

14 §1257.1. Purpose

15 The purpose of this Part is to facilitate much-needed provider relief in the
16 state Medicaid program by offsetting the increased costs of insurance borne by
17 nonemergency, non-ambulance medical transportation providers, referred to
18 hereafter in this Part as "NEMT providers", in meeting the insurance coverage
19 requirements necessary for them to maintain their enrollment as providers in the state
20 Medicaid program.

1 §1257.2. Nonemergency, non-ambulance medical transportation providers; payment
2 enhancements

3 A.(1)(a) The Louisiana Department of Health, referred to hereafter in this
4 Part as the "department", shall remit to each NEMT provider enhanced payments in
5 the amount of five hundred dollars per month per vehicle, subject to the limitation
6 on number of qualifying vehicles provided in Subparagraph (b) of this Paragraph,
7 that the provider uses in service to Medicaid enrollees.

8 (b)(i) The maximum number of vehicles qualifying an NEMT provider for
9 enhanced payments provided for in this Paragraph and used in the calculation of the
10 monthly enhanced payment amount shall be three vehicles.

11 (ii) The maximum monthly enhanced payment amount for which any NEMT
12 provider may qualify pursuant to this Paragraph shall be one thousand five hundred
13 dollars.

14 (c) The department shall promulgate in rule the standard to be used for
15 deeming any NEMT provider vehicle as "in service" for purposes of qualifying for
16 an enhanced monthly payment provided for in this Section.

17 (2) The payments provided for in Paragraph (1) of this Subsection shall be
18 in addition to amounts remitted to NEMT providers through provider reimbursement
19 rates.

20 B. The department shall not implement the payment enhancements provided
21 for in this Section until such payments are approved by the Centers for Medicare and
22 Medicaid Services.

23 §1257.3. Administrative rulemaking

24 The department shall promulgate all such rules in accordance with the
25 Administrative Procedure Act as are necessary to implement the provisions of this
26 Part.

27 §1257.4. Termination

28 This Part shall terminate on the earlier of the following dates:

1 (1)(a) The date upon which the secretary of the department publishes in the
 2 Louisiana Register a notice certifying that average monthly vehicle-related insurance
 3 costs to NEMT providers in Louisiana have decreased to an amount that is less than
 4 average monthly vehicle-related insurance costs to those providers in state fiscal year
 5 2020-2021.

6 (b) The secretary of the department shall collaborate with the commissioner
 7 of insurance to make the cost determinations necessary for the development of the
 8 notice provided for in Subparagraph (a) of this Paragraph.

9 (2) September 30, 2024.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 570 Engrossed

2021 Regular Session

Lyons

Abstract: Provides for payment enhancements through the state Medicaid program to compensate nonemergency medical transportation providers for insurance cost increases in that industry.

Proposed law provides that its purpose is to facilitate much-needed provider relief in the state Medicaid program by offsetting the increased costs of insurance borne by nonemergency, non-ambulance medical transportation providers, referred to hereafter as "NEMT providers", in meeting the insurance coverage requirements necessary for them to maintain their enrollment as Medicaid providers.

Proposed law requires the La. Department of Health (LDH) to remit to each NEMT provider enhanced payments in the amount of \$500 per month per vehicle, up to a maximum of three vehicles, that the provider uses in service to Medicaid enrollees. Provides that the maximum monthly enhanced payment amount for which any NEMT provider may qualify pursuant to proposed law shall be \$1,500.

Proposed law stipulates that the payments provided for in proposed law shall be in addition to amounts remitted to NEMT providers through provider reimbursement rates.

Proposed law prohibits LDH from implementing the payment enhancements provided for in proposed law until such payments are approved by the federal Medicaid agency.

Proposed law provides that it shall terminate on the earlier of the following dates:

- (1) The date upon which the secretary of LDH publishes in the La. Register a notice certifying that average monthly vehicle-related insurance costs to NEMT providers in La. have decreased to an amount that is less than average monthly vehicle-related insurance costs to those providers in state fiscal year 2020-2021.
- (2) September 30, 2024.

Proposed law requires that the secretary of LDH collaborate with the commissioner of insurance to make the cost determinations necessary for the development of the notice provided for in paragraph (1) above.

(Adds R.S. 40:1257.1-1257.4)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Make a technical correction.