

1 WHEREAS, Louisiana legislators have filed numerous measures in this 2016
2 Regular Session of the Legislature which, collectively, call for the Department of Health and
3 Hospitals to institute all Medicaid copayments allowed by federal law and regulation, with
4 the greatest number of this session's Medicaid cost containment bills proposing copayments
5 for nonemergency services furnished in hospital emergency departments; and

6 WHEREAS, per federal Medicaid regulations, states that impose copayments for
7 nonemergency services furnished in hospital emergency departments are to reduce Medicaid
8 reimbursement to hospitals in the amount of the copayments assessed; and

9 WHEREAS, according to the fiscal notes prepared by the Legislative Fiscal Office
10 on this session's Medicaid cost containment bills (for example, the fiscal note on House Bill
11 No. 324), if the nonemergency services copayment requirement were to be implemented, the
12 resulting Medicaid cost savings would be over one million dollars annually; and

13 WHEREAS, because federal regulations require that states with this copayment
14 requirement reduce Medicaid reimbursement to hospitals in the amount of the copayments
15 assessed and not amounts actually collected, and because these copayments are essentially
16 uncollectible since hospitals may not deny services to a Medicaid enrollee based on inability
17 to pay the copayment, implementation of this copayment requirement would result in what
18 hospitals argue is an unjustifiable rate cut; and

19 WHEREAS, this flawed scenario could be remedied in favor of both the state's fiscal
20 position and its hospitals if either the copayment requirement for nonemergency services
21 furnished in hospital emergency departments could be enforced, or if resources could be
22 identified to fund such copayments that are assessed to Medicaid enrollees.

23 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
24 urge and request the Department of Health and Hospitals and the Department of Children
25 and Family Services, jointly, to study the desirability and feasibility of authorizing the use
26 of Supplemental Nutrition Assistance Program benefits to fund copayments assessed to
27 Medicaid enrollees who receive nonemergency medical services in hospital emergency
28 departments.

29 BE IT FURTHER RESOLVED that the Department of Health and Hospitals and the
30 Department of Children and Family Services shall develop a written report addressing

1 findings of the study requested in this Resolution, and shall submit the report to the House
2 Committee on Health and Welfare and the Senate Committee on Health and Welfare no later
3 than sixty days prior to the convening of the 2017 Regular Session of the Legislature of
4 Louisiana.

5 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
6 secretary of the Department of Health and Hospitals and the secretary of the Department of
7 Children and Family Services.

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)]

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2016 Regular Session

Talbot

Urges and requests the Dept. of Health and Hospitals and the Dept. of Children and Family Services, jointly, to study the desirability and feasibility of authorizing the potential use of Supplemental Nutrition Assistance Program benefits to fund copayments assessed to Medicaid enrollees who receive nonemergency medical services in hospital emergency departments.

Requires the departments to submit a report addressing findings of the study to the legislative committees on health and welfare no later than 60 days prior to the convening of the 2017 R.S.