

SENATE RESOLUTION NO. 104

BY SENATOR FRED MILLS

A RESOLUTION

To urge and request the Louisiana Department of Health to study and report on the desirability and feasibility of extending eligibility for the use of a pooled trust to Medicaid enrollees over the age of sixty-five.

WHEREAS, Medicaid and Supplemental Security Income (SSI) provide a basic level of support for food, shelter, and medical care; and

WHEREAS, Medicaid and SSI law permit "(d)(4)(C)" or "pooled trusts" for beneficiaries with special needs; and

WHEREAS, a pooled trust is a type of special needs trust established under federal and state law for the benefit of disabled beneficiaries of any age and may be created by the beneficiary himself; and

WHEREAS, a pooled trust combines the resources of many beneficiaries and is managed by a nonprofit association; and

WHEREAS, a pooled trust can provide for the needs and comfort of a beneficiary beyond basic support; and

WHEREAS, any assets remaining in the beneficiary's separate account upon death, to the extent not retained by the pooled trust, first must be used to reimburse the state Medicaid program that has provided medical assistance for the beneficiary; and

WHEREAS, current Louisiana Medicaid program policy does not permit Medicaid enrollees over the age of sixty-five to participate in a pooled trust.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby urge and request the Louisiana Department of Health to study and report on the desirability and feasibility of extending eligibility for the use of a pooled trust to Medicaid enrollees over the age of sixty-five.

BE IT FURTHER RESOLVED that the department shall make a written report of its findings on the desirability and feasibility of permitting Medicaid enrollees over the age of sixty-five to participate in a pooled trust to the Senate Health and Welfare Committee no later than February 1, 2023.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Louisiana Department of Health.

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PRESIDENT OF THE SENATE