

**ACT No. 675**

2016 Regular Session

HOUSE BILL NO. 922

BY REPRESENTATIVE HENSGENS

1 AN ACT

2 To amend and reenact R.S. 46:2623 and 2625(A)(1)(introductory paragraph) and (a) and  
3 to repeal R.S. 46:2625(B), relative to fees on healthcare providers deposited into the  
4 Medical Assistance Trust Fund; to revise the fee amount for nursing homes; to repeal  
5 a prohibition on new fees or increased fees on nursing homes without a majority vote  
6 of approval by the legislature; to provide for management of the fund by the treasury;  
7 to provide for appropriation from the fund; to provide for reporting; and to provide  
8 for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 46:2623 and 2625(A)(1)(introductory paragraph) and (a) are hereby  
11 amended and reenacted to read as follows:

12 §2623. Louisiana Medical Assistance Trust Fund

13 A. There is hereby established as a special fund in the state treasury the  
14 Louisiana Medical Assistance Trust Fund, hereinafter referred to as the "fund",  
15 which shall consist of monies generated by the provider fees on healthcare services  
16 collected and authorized for deposit into the fund as provided by law and any other  
17 monies which may be provided by law. ~~the fees on providers of health care services~~  
18 ~~collected under the authority of R.S. 46:2625. The monies in the fund shall be~~  
19 ~~available for appropriation by the legislature to the Medicaid program solely as~~  
20 ~~provided for in Subsection C of this Section.~~ The monies in the fund shall be  
21 invested by the state treasurer in the same manner as monies in the state general  
22 fund. All interest earned from the investment of monies in the fund shall be  
23 deposited in and remain to the credit of the fund and allocated to each separate

1 account on a pro-rata basis. All unexpended and unencumbered monies remaining  
 2 in the separate accounts of the fund at the close of each fiscal year shall remain in the  
 3 separate accounts of the fund.

4 ~~B.(1) Within the fund there shall be segregated sub-accounts, one for each~~  
 5 ~~health care provider group that pays fees pursuant to R.S. 46:2625. Monies collected~~  
 6 ~~from each health care provider group shall accrue to the sub-account of that health~~  
 7 ~~care provider group. The state treasurer shall establish a separate account within the~~  
 8 ~~fund for each healthcare provider group in which provider fees are collected and~~  
 9 ~~deposited into the fund in accordance with law. Any monies deposited into the fund~~  
 10 ~~from other sources, and the interest earned on those monies, shall be deposited into~~  
 11 ~~a separate account within the fund, hereafter referred to as the "general account".~~

12 ~~(2) Monies shall be allocated, with accompanying federal matching money,~~  
 13 ~~to each of the health care provider groups in proportion to the amount of fees~~  
 14 ~~collected in each sub-account, based upon fees established by the Department of~~  
 15 ~~Health and Hospitals pursuant to R.S. 46:2625. Such allocation shall be calculated~~  
 16 ~~using collections data from the most recent four quarters for which data is available~~  
 17 ~~prior to the state fiscal year for which the allocation will be made. The state treasurer~~  
 18 ~~shall deposit monies collected from each provider group's provider fees into the~~  
 19 ~~account created for that provider group based upon actual collections of the provider~~  
 20 ~~fees.~~

21 ~~(3) The monies, including interest earnings, in each separate account shall~~  
 22 ~~be appropriated by the legislature to the Medicaid program solely as provided in~~  
 23 ~~Subsection C of this Section.~~

24 ~~C.(1) Notwithstanding any other provisions of this Chapter, the legislature~~  
 25 ~~shall be authorized to appropriate as state funds to the department for use in any~~  
 26 ~~fiscal year, all revenues dedicated and deposited into each segregated sub-account.~~  
 27 ~~Such appropriations shall be made for the sole purpose to obtain federal financial~~  
 28 ~~participation in the provision of support to health care provider groups listed in R.S.~~  
 29 ~~46:2625. Any appropriation from the segregated sub-accounts for any purpose other~~  
 30 ~~than medical assistance payments to health care provider groups listed in R.S.~~



