

2021 Regular Session

HOUSE BILL NO. 698 (Substitute for House Bill No. 186 by Representative Bacala)

BY REPRESENTATIVE BACALA

1 AN ACT

2 To enact R.S. 36:254(D)(2)(e) and (f) and 460 and R.S. 46:236.1.1(17) and 236.9.1, relative
3 to interagency agreements between departments of the executive branch of state
4 government concerning certain public assistance programs; to provide relative to
5 administration by the Louisiana Department of Health of the medical assistance
6 program of this state known as Medicaid; to provide relative to administration by the
7 Department of Children and Family Services of the child support enforcement
8 program of this state; to require the Louisiana Department of Health and the
9 Department of Revenue to enter into agreements to carry out certain Medicaid
10 program integrity functions; to require the Louisiana Department of Health and the
11 Department of Children and Family Services to enter into agreements concerning the
12 use of certain cash medical support payments to offset Medicaid costs; to provide
13 specifications for the content of such interagency agreements; to provide for
14 incentive payments from the Louisiana Department of Health to the Department of
15 Children and Family Services for certain purposes; to provide relative to interagency
16 data sharing; to provide for reporting to the legislature; to provide for construction
17 of certain laws; and to provide for related matters.

18 Be it enacted by the Legislature of Louisiana:

19 Section 1. R.S. 36:254(D)(2)(e) and (f) and 460 are hereby enacted to read as
20 follows:

21 §254. Powers and duties of the secretary of the Louisiana Department of Health

22 * * *

1 D.

2 * * *

3 (2) Except as otherwise limited by a specific provision of law, the secretary
4 is authorized to perform all of the following relative to or concerning the Medical
5 Assistance Program:

6 * * *

7 (e) Cause the department to enter into memoranda of understanding,
8 cooperative endeavors, or other type of agreements with the Department of Revenue
9 for the program integrity functions provided for in R.S. 36:460.

10 (f) Cause the department to enter into memoranda of understanding,
11 cooperative endeavors, or other type of agreements with the Department of Children
12 and Family Services for the interagency incentive program provided for in R.S.
13 46:236.9.1.

14 * * *

15 §460. Department of Revenue; interagency agreements for Medicaid program
16 integrity; reporting

17 A. Unless prohibited by regulations or policies of the Centers for Medicare
18 and Medicaid Services or any other federal regulation or law, the Department of
19 Revenue and the Louisiana Department of Health shall annually enter into a
20 memorandum of understanding, cooperative endeavor, or other type of agreement
21 for Medicaid program integrity functions that conform with the requirements and
22 specifications provided in this Section.

23 B. The agreements provided for in this Section shall require the Louisiana
24 Department of Health to furnish to the Department of Revenue identifying
25 information of all of the following persons:

26 (1) Each person under the age of nineteen years who is enrolled in the
27 Medicaid program of this state, excluding children in child-only Medicaid cases and
28 children in Medicaid cases that have received a good cause exemption from the
29 Medicaid Support Enforcement Services cooperation requirement.

1 not exceed fifteen percent of the total of remittances made under the prior agreement,
2 in accordance with Paragraph (B)(2) of this Section, to offset Medicaid costs.

3 (2) Any payment by the Louisiana Department of Health to the Department
4 of Children and Family Services made pursuant to Paragraph (1) of this Subsection
5 shall be made from the federal share of the amount collected in accordance with 42
6 U.S.C. 1396b(p)(1) and 42 CFR 433.153.

7 D. No payment remitted to the Louisiana Department of Health in
8 accordance with this Section shall reduce the amount of child support that otherwise
9 would be owed to the obligee if cash medical support had not been ordered.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____