

RÉSUMÉ DIGEST

ACT 319 (HB 434)

2019 Regular Session

Magee

Relative to Medicaid, new law defines the term "policy or procedure" to mean a requirement governing the administration of managed care organizations specific to billing guidelines, medical management and utilization review guidelines, case management guidelines, claims processing guidelines and edits, grievance and appeals procedures and processes, other guidelines or manuals containing pertinent information related to operations and pre-processing claims, and core benefits and services.

New law establishes a public notice requirement for any contract amendment proposed by requiring the Louisiana Dept. of Health (LDH) to publish, on a publicly accessible page of LDH's website, a copy of the entire proposed contract amendment and to provide a public comment period of no less than 30 days, except where LDH finds imminent peril to public health, safety, or welfare, in which case they may immediately execute the proposed contract amendment upon publishing a copy of the contract amendment and a written statement that details the reason for finding that an imminent peril requires adoption of the executed amendment.

New law establishes policies and procedures for adoption of policies which require LDH to publish the proposed policy or procedure on a publicly accessible page of LDH's website for a period of no less than 45 days for the purpose of soliciting public comment. LDH shall determine the format; however, LDH shall include existing policy or procedure along with proposed policy or procedure.

New law provides that any policy or procedure proposed by a managed care organization shall not be implemented unless LDH has provided its express written approval to the managed care organization after the expiration of the public notice period. However, if LDH finds that imminent peril requires immediate approval, LDH may implement the proposal upon publishing a written statement that details its reasons for finding that imminent peril requires adoption of the proposed policy or procedure and a copy of the proposed policy or procedure.

New law provides that new law shall not apply to any policy or procedure that is promulgated in accordance with the Administrative Procedure Act or included in a duly executed contract.

New law prohibits LDH or a managed care organization from enforcing any policy or procedure that is not adopted in compliance with this section.

New law requires that any policy or procedure change made by a managed care organization be submitted to LDH for approval within a given time frame of making the change.

Effective August 1, 2019.

(Adds R.S. 46:460.51(15), 460.53, and 460.54)