

2026 Regular Session

SENATE BILL NO. 222

BY SENATOR PRESSLY

BEHAVIORAL HEALTH. Provides for Medicaid behavioral health services. (gov sig)

1 AN ACT

2 To enact Chapter 2 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 28:301 through 308, relative to Medicaid behavioral health services; to
4 provide for administrative requirements; to provide for certain behavioral health
5 telehealth services; to provide for an effective date; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Chapter 2 of Title 28 of the Louisiana Revised Statutes of 1950, comprised
9 of R.S. 28:301 through 308, is hereby enacted to read as follows:

10 **CHAPTER 2. MEDICAID BEHAVIORAL HEALTH ADMINISTRATIVE**

11 **REQUIREMENTS**

12 **§301. Legislative findings and purpose**

13 **A. The Legislature finds that administrative duplication, workforce**
14 **shortages, and regulatory inconsistencies reduce access to behavioral health**
15 **services in Louisiana.**

16 **B. The purpose of this Chapter is to eliminate unnecessary**
17 **administrative barriers, align behavioral health program requirements with**

1 federal standards and licensing board supervision requirements, and expand
2 workforce flexibility while maintaining patient safety and quality of care.

3 §302. Pre-employment reference letters; prohibition

4 A. Notwithstanding any provision of law or administrative rule to the
5 contrary, the Louisiana Department of Health and any managed care entity
6 administering Medicaid behavioral health services shall not require
7 pre-employment reference letters as a condition of provider enrollment, staff
8 credentialing, or the delivery of Medicaid behavioral health services.

9 B. Nothing in this Section shall prohibit verification of employment
10 history, licensure status, education, or required work experience through
11 primary source verification.

12 §303. CPR, first aid, and seizure assessment training; approved programs

13 A. The Louisiana Department of Health and any managed care entity
14 administering Medicaid behavioral health services shall not require
15 cardiopulmonary resuscitation (CPR) or first aid certification for behavioral
16 health staff as a condition of provider enrollment, staff credentialing, or
17 reimbursement, except as provided in Subsection B of this Section.

18 B. The department may require CPR or first aid certification only for
19 staff who provide services in settings where such training is required by federal
20 law, state law, or applicable licensing requirements for a residential facility,
21 inpatient facility, or medication administration program.

22 §304. Supervision of provisionally licensed staff; alignment

23 A. For purposes of Medicaid behavioral health programs administered
24 by the Louisiana Department of Health, supervision required for staff who are
25 provisionally licensed or otherwise under supervision pursuant to the
26 requirements of a Louisiana licensing board shall be deemed to satisfy program
27 supervision requirements when such supervision meets or exceeds applicable
28 program standards.

29 B. The department shall not require duplicative supervision for the same

1 staff member when supervision required by the relevant licensing board
2 overlaps with program requirements.

3 §305. Documentation timeliness; CMS alignment; exceptions

4 A. The Louisiana Department of Health shall revise Medicaid behavioral
5 health provider documentation requirements to align with federal guidance
6 stating that documentation shall be completed during the service or as soon as
7 practicable after the service is provided.

8 B. The department may establish a general documentation timeliness
9 standard. However, reasonable exceptions shall be permitted, including but not
10 limited to natural disasters, declared states of emergency, power outages,
11 technology outages, and documented health conditions.

12 C. When documentation is completed outside the general standard, the
13 provider shall include a late-entry attestation stating the date of entry and the
14 reason for the delay.

15 §306. Nursing requirement; physician equivalency

16 A. When a Medicaid behavioral health provider is required by rule to
17 maintain a nurse on staff or to maintain a written agreement for nursing
18 services solely for the purpose of medication administration, such requirement
19 shall be satisfied by the presence of a licensed physician, psychiatrist, or
20 physician assistant acting within the lawful scope of practice.

21 B. Nothing in this Section shall be construed to authorize any individual
22 to perform acts outside the scope of professional licensure.

23 §307. Medical director; inclusion of physician assistants

24 A. A medical director for a Medical behavioral health provider may be
25 any of the following:

26 (1) A physician.

27 (2) An advanced practice registered nurse.

28 (3) A medical psychologist.

29 (4) A physician assistant.

1 **B. Any healthcare provider serving as medical director pursuant to this**

2 **Section shall:**

3 **(1) Have a current, unrestricted license to practice in the state of**

4 **Louisiana.**

5 **(2) Have a minimum of two years of qualifying experience in treating**

6 **psychiatric disorders.**

7 **(3) Be practicing pursuant to a collaborative practice agreement or**

8 **supervision arrangement as required by Louisiana law.**

9 **C. The Louisiana Department of Health shall revise all applicable rules**

10 **and provider manuals to reflect the eligibility provided for in this Section.**

11 **§308. Psychosocial rehabilitation services; telehealth; CMS submission;**
12 **reporting**

13 **A. The Louisiana Department of Health shall submit to the Centers for**

14 **Medicare and Medicaid Services, no later than July 1, 2026, any necessary state**

15 **plan amendment, waiver, or other request to authorize reimbursement for**

16 **psychosocial rehabilitation services delivered via telehealth.**

17 **B. No later than thirty days after submission to the Centers for Medicare**

18 **and Medicaid Services, the department shall provide written notice to the House**

19 **Committee on Health and Welfare and the Senate Committee on Health and**

20 **Welfare.**

21 **C. If the Centers for Medicare and Medicaid Services requests additional**

22 **information or denies the submission, the department shall report such request**

23 **or denial to the committees within thirty days.**

24 Section 2. The Louisiana Department of Health shall promulgate rules in accordance
25 with the Administrative Procedure Act as necessary to implement the provisions of this
26 Chapter.

27 Section 3. This Act shall become effective upon signature by the governor or, if not
28 signed by the governor, upon expiration of the time for bills to become law without signature
29 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 222 Engrossed

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Pressly

Proposed law prohibits the La. Dept. of Health (LDH) and any managed care entity administering Medicaid behavioral health services from requiring pre-employment reference letters as a condition of provider enrollment, staff credentialing, or the delivery of services.

Proposed law prohibits LDH and any managed care entity administering Medicaid behavioral health services from requiring CPR or first aid certification for behavioral health staff as a condition of provider enrollment, staff credentialing, or reimbursement, except in settings where the training is required by federal law, state law, or licensing requirements for certain facilities.

Proposed law provides that supervision required for behavioral health staff who are provisionally licensed or otherwise under supervision pursuant to the requirements of a La. licensing board shall satisfy LDH's program supervision requirements when such supervision meets or exceeds applicable program standards.

Proposed law requires LDH to revise Medicaid behavioral health provider documentation requirements to align with federal guidance stating that documentation shall be completed during the service or as soon as practicable after the service is provided pursuant to timelines and reasonable exceptions established by LDH.

Proposed law requires that when documentation is completed outside the general standard, the provider must include a late-entry attestation stating the date of entry and the reason for the delay.

Proposed law provides that when a Medicaid behavioral health provider is required by rule to maintain a nurse on staff or to maintain a written agreement for nursing services solely for the purpose of medication administration, the requirement is satisfied by the presence of a licensed physician, psychiatrist, or physician assistant acting within the lawful scope of practice.

Proposed law provides that physician assistants may serve as medical director for a Medicaid behavioral health provider in addition to physicians, advanced practice registered nurses, and medical psychologists as currently authorized by LDH's Medicaid services manual.

Proposed law requires LDH to submit to the Centers for Medicare and Medicaid Services (CMS), no later than July 1, 2026, any necessary state plan amendment, waiver, or other request to authorize reimbursement for psychosocial rehabilitation services delivered via telehealth and to notify the committees on health and welfare of the submission and response from CMS.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 28:301-308)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to
the original bill

1. Adds provisions from LDH's Medicaid services manual regarding requirements for medical directors for Medicaid behavioral health providers.