

Regular Session, 2014

HOUSE BILL NO. 983

BY REPRESENTATIVE BROSSETT

MEDICAID: Requires reporting regarding certain employers

1 AN ACT

2 To enact Part LXXV of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to
3 be comprised of R.S. 40:1300.381 through 1300.383, relative to Medicaid; to create
4 the "Public Assistance Beneficiary Employer Disclosure Act"; to provide for
5 definitions; to require the publication of the Louisiana Health Care Responsibility
6 Report; to require submission of the report to the legislature; to provide for content
7 of the report; to provide for an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Part LXXV of Chapter 5 of Title 40 of the Louisiana Revised Statutes of
10 1950, comprised of R.S. 40:1300.381 through 1300.383, is hereby enacted to read as
11 follows:

12 PART LXXV. PUBLIC ASSISTANCE BENEFICIARY

13 EMPLOYER DISCLOSURE ACT

14 §1300.381. Short title

15 This Part shall be known and may be cited as the "Public Assistance
16 Beneficiary Employer Disclosure Act".

17 §1300.382. Definitions

18 In this Part, unless the context otherwise requires, the following definitions
19 are applicable:

20 (1) "Department" means the Department of Health and Hospitals.

1 (2) "Medicaid" and "medical assistance program" mean the medical
2 assistance program provided for in Title XIX of the federal Social Security Act and
3 administered by the Department of Health and Hospitals pursuant to the authority
4 provided in R.S. 36:254.

5 (3) "Medicaid beneficiary" means a person who receives medical assistance
6 under Titles XIX or XXI of the federal Social Security Act, as amended.

7 (4) "Report" means the Louisiana Health Care Responsibility Report.

8 §1300.383. Louisiana Health Care Responsibility Report

9 A. The department shall prepare a Medicaid beneficiary employer report to
10 be submitted to the legislature on a quarterly basis. The report shall be known as the
11 "Louisiana Health Care Responsibility Report".

12 B. To aid in the preparation of the report, the department shall implement
13 policies and procedures to acquire information required by the report. Information
14 sources may include but are not limited to the following:

15 (1) Information required at the time of application to the medical assistance
16 program or during the yearly reverification process.

17 (2) Information that is accumulated from a vendor contracting with the state
18 of Louisiana to identify available insurance.

19 (3) Information that is voluntarily submitted by Louisiana employers.

20 C.(1) The report shall provide the following information for each employer
21 who has fifty or more employees that are a Medicaid beneficiary, the spouse of a
22 Medicaid beneficiary, or a custodial parent of a Medicaid beneficiary:

23 (a) The name of the qualified employer.

24 (b) The number of employees who are either Medicaid beneficiaries or are
25 a financially responsible spouse or custodial parent of a Medicaid beneficiary under
26 Title XIX of the federal Social Security Act, listed as a percentage of the qualified
27 employer's Louisiana workforce.

28 (c) The number of employees who are either Medicaid beneficiaries or are
29 a financially responsible spouse or custodial parent of a Medicaid beneficiary under

1 Title XXI of the federal Social Security Act (SCHIP), listed as a percentage of the
2 qualified employer's Louisiana workforce.

3 (d) For each employer, the number of employees who are Medicaid
4 beneficiaries, the number of employees who are a financially responsible spouse or
5 custodial parent of a Medicaid beneficiary, and the number of Medicaid beneficiaries
6 who are a spouse or a minor child less than nineteen years of age of an employee
7 under Title XIX of the federal Social Security Act.

8 (e) For each employer, the number of employees who are Medicaid
9 beneficiaries, the number of employees who are a financially responsible spouse or
10 a custodial parent of a Medicaid beneficiary, and the number of Medicaid
11 beneficiaries who are a spouse or a minor child less than nineteen years of age of an
12 employee under Title XXI of the federal Social Security Act.

13 (f) Whether the reported Medicaid beneficiaries are full-time or part-time
14 employees.

15 (g) Information on whether the employer offers health insurance benefits to
16 full-time and part-time employees, their spouses, and their dependents.

17 (h) Information on whether employees receive health insurance benefits
18 through the employer when the state of Louisiana pays some or all of the premiums
19 for such health insurance benefits.

20 (i) The cost to the state of Louisiana of providing Medicaid benefits for the
21 employer's employees and enrolled dependents listed as total cost and per capita cost.

22 (2) The report shall make industry-wide comparisons by sorting employers
23 into industry categories based on available information from the Department of
24 Economic Development.

25 D. If it is determined that a Medicaid beneficiary has more than one
26 employer, the department shall count the beneficiary as a portion of one person for
27 each employer for purposes of the report.

- 1 E.(1) The report shall be issued no more than one hundred twenty days after
 2 the end of each calendar quarter, starting with the third calendar quarter of 2014.
 3 (2) A copy of the report containing aggregated data with no identifying
 4 information shall be made available for public viewing on the department's website.
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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

Brossett

HB No. 983

Abstract: Requires the Dept. of Health and Hospitals to prepare a Medicaid beneficiary employer report to be submitted to the legislature on a quarterly basis.

Proposed law may be cited as the "Public Assistance Beneficiary Employer Disclosure Act".

Proposed law defines "department" as the Dept. of Health and Hospitals (DHH).

Proposed law defines "Medicaid" and "medical assistance program" as the medical assistance program provided for in Title XIX of the federal Social Security Act and administered by DHH.

Proposed law defines "Medicaid beneficiary" as a person who receives medical assistance under Titles XIX or XXI of the federal Social Security Act, as amended.

Proposed law defines "report" as the La. Health Care Responsibility Report.

Proposed law requires DHH to prepare a Medicaid beneficiary employer report to be submitted to the legislature on a quarterly basis. The report shall be known as the "La. Health Care Responsibility Report".

Proposed law requires DHH to aid in the preparation of the report and to implement policies and procedures to acquire information required by the report.

Proposed law provides that information sources may include but are not limited to the following:

- (1) Information required at the time of application to the medical assistance program or during the yearly reverification process.
- (2) Information that is accumulated from a vendor contracting with the state of La. to identify available insurance.
- (3) Information that is voluntarily submitted by La. employers.

Proposed law requires the report to provide the following information for each employer who has 50 or more employees that are a Medicaid beneficiary, the spouse of a Medicaid beneficiary, or a custodial parent of a Medicaid beneficiary:

- (1) The name of the qualified employer.

- (2) The number of employees who are either Medicaid beneficiaries or are a financially responsible spouse or custodial parent of a Medicaid beneficiary under Title XIX of the federal Social Security Act, listed as a percentage of the qualified employer's La. workforce.
- (3) The number of employees who are either Medicaid beneficiaries or are a financially responsible spouse or custodial parent of a Medicaid beneficiary under Title XXI of the federal Social Security Act (SCHIP), listed as a percentage of the qualified employer's La. workforce.
- (4) For each employer, the number of employees who are Medicaid beneficiaries, the number of employees who are a financially responsible spouse or custodial parent of a Medicaid beneficiary, and the number of Medicaid beneficiaries who are a spouse or a minor child less than 19 years of age of an employee under Title XIX of the federal Social Security Act.
- (5) For each employer, the number of employees who are Medicaid beneficiaries, the number of employees who are a financially responsible spouse or a custodial parent of a Medicaid beneficiary, and the number of Medicaid beneficiaries who are a spouse or a minor child less than 19 years of age of an employee under Title XXI of the federal Social Security Act.
- (6) Whether the reported Medicaid beneficiaries are full-time or part-time employees.
- (7) Information on whether the employer offers health insurance benefits to full-time and part-time employees, their spouses, and their dependents.
- (8) Information on whether employees receive health insurance benefits through the employer when the state of La. pays some or all of the premiums for such health insurance benefits.
- (9) The cost to the state of La. of providing Medicaid benefits for the employer's employees and enrolled dependents listed as total cost and per capita cost.

Proposed law requires the report to make industry-wide comparisons by sorting employers into industry categories based on available information from the Dept. of Economic Development.

Proposed law requires DHH, if it is determined that a Medicaid beneficiary has more than one employer, to count the beneficiary as a portion of one person for each employer for purposes of the report.

Proposed law requires the report to be issued no more than 120 days after the end of each calendar quarter, starting with the third calendar quarter of 2014.

Proposed law requires a copy of the report containing aggregated data with no identifying information shall be made available for public viewing on DHH's website.

(Adds R.S. 40:1300.381-1300.383)