
DIGEST

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HB 434 Reengrossed

2019 Regular Session

Magee

Abstract: Defines "policy and procedure", adds a public notice requirement, and implements a policy for adopting policies and procedures as it relates to Medicaid managed care organizations.

Proposed 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 process, other guidelines or manuals containing pertinent information related to operations and pre-processing claims, and core benefits and services.

Proposed 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.

Proposed law establishes policies and procedure 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.

Proposed 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.

Proposed law provides that proposed 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.

Proposed law prohibits LDH or a managed care organization from enforcing any policy or procedure

that is not adopted in compliance with this section.

Proposed 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.

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

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Requires the Louisiana Department of Health to approve policies or procedures proposed by a managed care organization in accordance with law, regulation, or a contract after the expiration of the required public notice period.
2. Add the requirement that any policy or procedure change made by a managed care organization be submitted to the Louisiana Department of Health for approval within a given time frame for approval.
3. Make technical changes.

The Committee Amendments Proposed by House Committee on Appropriations to the engrossed bill:

1. Redefine the definition of "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 process, other guidelines or manuals containing pertinent information related to operations and pre-processing claims, and core benefits and services.
2. Delete provisions of proposed law that requires LDH to approve policies or procedures proposed by a managed care organization in accordance with law, regulation, or a contract after the expiration of the required public notice period and instead requires LDH to provide express written approval to the managed care organization of any policy or procedure change made by a managed care organization after the expiration of the public notice period.