HLS 16RS-2506 **ORIGINAL**

2016 Regular Session

1

HOUSE CONCURRENT RESOLUTION NO. 96

BY REPRESENTATIVE TALBOT

PUBLIC ASSISTANCE: Requests a study concerning the potential use of Supplemental Nutrition Assistance Program benefits to cover certain Medicaid copayment requirements

A CONCURRENT RESOLUTION

2	To urge and request the Department of Health and Hospitals and the Department of Children
3	and Family Services, jointly, to study the desirability and feasibility of authorizing
4	the use of Supplemental Nutrition Assistance Program benefits to fund copayments
5	assessed to Medicaid enrollees who receive nonemergency medical services in
6	hospital emergency departments, and to report findings of the study to the
7	legislature.
8	WHEREAS, at over eight billion three hundred eighty million dollars, Medicaid
9	comprises thirty-four and two tenths percent of Louisiana's total operating budget in the
10	present state fiscal year, representing a significant increase in Medicaid spending since state
11	Fiscal Year 2007-2008 when the program comprised twenty-one and five tenths percent of
12	the state's operating budget; and
13	WHEREAS, cost containment in the increasingly unaffordable Medicaid program
14	is an urgent fiscal and public health priority of this state; and
15	WHEREAS, federal law and regulation specifically authorize states to implement
16	Medicaid cost containment strategies through imposition of a variety of cost sharing
17	measures for Medicaid enrollees including copayments which may be assessed to enrollees
18	for healthcare services such as inpatient and outpatient treatment, preferred and nonpreferred
19	prescription drugs, and nonemergency services furnished in hospital emergency departments;
20	and

1	WHEREAS, Louisiana legislators have filed numerous measures in this 2016
2	Regular Session of the Legislature which, collectively, call for the Department of Health and
3	Hospitals to institute all Medicaid copayments allowed by federal law and regulation, with
4	the greatest number of this session's Medicaid cost containment bills proposing copayments
5	for nonemergency services furnished in hospital emergency departments; and
6	WHEREAS, per federal Medicaid regulations, states that impose copayments for
7	nonemergency services furnished in hospital emergency departments are to reduce Medicaid
8	reimbursement to hospitals in the amount of the copayments assessed; and
9	WHEREAS, according to the fiscal notes prepared by the Legislative Fiscal Office
10	on this session's Medicaid cost containment bills (for example, the fiscal note on House Bill
11	No. 324), if the nonemergency services copayment requirement were to be implemented, the
12	resulting Medicaid cost savings would be over one million dollars annually; and
13	WHEREAS, because federal regulations require that states with this copayment
14	requirement reduce Medicaid reimbursement to hospitals in the amount of the copayments
15	assessed and not amounts actually collected, and because these copayments are essentially
16	uncollectible since hospitals may not deny services to a Medicaid enrollee based on inability
17	to pay the copayment, implementation of this copayment requirement would result in what
18	hospitals argue is an unjustifiable rate cut; and
19	WHEREAS, this flawed scenario could be remedied in favor of both the state's fiscal
20	position and its hospitals if either the copayment requirement for nonemergency services
21	furnished in hospital emergency departments could be enforced, or if resources could be
22	identified to fund such copayments that are assessed to Medicaid enrollees.
23	THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
24	urge and request the Department of Health and Hospitals and the Department of Children
25	and Family Services, jointly, to study the desirability and feasibility of authorizing the use
26	of Supplemental Nutrition Assistance Program benefits to fund copayments assessed to
27	Medicaid enrollees who receive nonemergency medical services in hospital emergency
28	departments.
29	BE IT FURTHER RESOLVED that the Department of Health and Hospitals and the
30	Department of Children and Family Services shall develop a written report addressing

- 1 findings of the study requested in this Resolution, and shall submit the report to the House
- 2 Committee on Health and Welfare and the Senate Committee on Health and Welfare no later
- 3 than sixty days prior to the convening of the 2017 Regular Session of the Legislature of
- 4 Louisiana.
- 5 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
- 6 secretary of the Department of Health and Hospitals and the secretary of the Department of
- 7 Children and Family Services.

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)]

HCR 96 Original

2016 Regular Session

Talbot

Urges and requests the Dept. of Health and Hospitals and the Dept. of Children and Family Services, jointly, to study the desirability and feasibility of authorizing the potential use of Supplemental Nutrition Assistance Program benefits to fund copayments assessed to Medicaid enrollees who receive nonemergency medical services in hospital emergency departments.

Requires the departments to submit a report addressing findings of the study to the legislative committees on health and welfare no later than 60 days prior to the convening of the 2017 R.S.