

NOTICE OF INTENT

**Department of Health and Hospitals
Bureau of Health Services Financing**

Medicaid - Children Supplemental Security Income (SSI)

The Department of Health and Hospitals, Bureau of Health Services Financing proposes to repeal the October 20, 1998 Rule governing the Medicaid eligibility of children receiving Supplemental Security Income (SSI) in the Medical Assistance Program as authorized by R.S. 46:153 and pursuant to Title XIX of the Social Security Act. This proposed Rule is in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing promulgated a Rule to adopt the provisions of Section 4913 of the Balanced Budget Act of 1997 to establish a new mandatory eligibility group for eligible children whom on August 22, 1996 were receiving Supplemental Security Income (SSI) but who effective July 1, 1997, or later, lost SSI payment because of a disability determination under the rules enacted by the Personal Responsibility and Work opportunity Reconciliation Act of 1996 (P.L. 104-193). Medicaid benefits for children whose eligibility was reinstated under this provision applied to

medical assistance furnished on or after July 1, 1997.

(Louisiana Register, Volume 24, Number 10).

The Department of Health and Hospitals, Bureau of Health Services Financing now proposes to repeal the October 20, 1998 Rule governing the provisions for Medicaid eligibility of children receiving Supplemental Security Income (SSI) since children born August 22, 1996 or prior would have reached age 18 by August 22, 2014 and are no longer eligible under this provision. Due to the provisions governing coverage of the Section 4913 children, there cannot be any new children to qualify for this coverage group as these children have aged out.

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the

provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, no direct or indirect cost to the provider to provide the same level of service, and will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

Interested persons may submit written comments to J. Ruth Kennedy, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030 or by email to MedicaidPolicy@la.gov. Ms. Kennedy is responsible for responding to inquiries regarding this proposed Rule. A public hearing on this proposed Rule is scheduled for Tuesday, March 31, 2015 at 9:30 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing. The deadline for receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Kathy H. Kliebert

Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

Person

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Rule Title: Medicaid Eligibility
Children Supplemental Security
Income (SSI)

Date Rule Takes Effect: May 20, 2015

SUMMARY

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. The following summary statements, based on the attached worksheets, will be published in the Louisiana Register with the proposed agency rule.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (SUMMARY)

It is anticipated that the implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 14-15. It is anticipated that \$324 (\$162 SGF and \$162 FED) will be expended in FY 14-15 for the state's administrative expense for the promulgation of this proposed rule and the final rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that the implementation of this proposed rule will not affect federal revenue collections other than the federal share of the promulgation costs for FY 14-15. It is anticipated that \$162 will be collected in FY 14-15 for the federal share of the expense for promulgation of this proposed rule and the final rule.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

This proposed rule repeals the October 20, 1998 rule governing the Medicaid eligibility of children receiving Supplemental Security Income provisions since children born August 22, 1996 or prior would have reached age 18 by August 22, 2014 and are no longer eligible under this provision. It is anticipated that the implementation of this proposed rule will not have economic cost or benefits for FY 14-15, FY 15-16, and FY 16-17.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

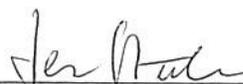
This rule has no known effect on competition and employment.


Signature of Agency Head
or Designee


Legislative/Fiscal Officer
or Designee

J. Ruth Kennedy, Medicaid Director
Typed name and Title of
Agency Head or Designee

2/9/15
Date of Signature


DHH/BHSF Budget Head

2/9/15
Date of Signature

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberations on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of rule change, copies of both the current and proposed rules with amended portions indicated).

This proposed rule repeals the October 20, 1998 rule governing the Medicaid eligibility of children receiving Supplemental Security Income provisions since children born August 22, 1996 or prior would have reached age 18 by August 22, 2014 and are no longer eligible under this provision.

- B. Summarize the circumstances that require this action. If the action is required by federal regulations, attach a copy of the applicable regulation.

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing promulgated a Rule to adopt the provisions of Section 4913 of the Balanced Budget Act of 1997 to establish a new mandatory eligibility group for eligible children whom on August 22, 1996 were receiving Supplemental Security Income (SSI) but who effective July 1, 1997, or later, lost SSI payment because of a disability determination under the rules enacted by the Personal Responsibility and Work opportunity Reconciliation Act of 1996 (P.L. 104-193). Medicaid Benefits for children whose eligibility was reinstated under this provision applied to medical assistance furnished on or after July 1, 1997. (Louisiana Register, Volume 24, Number 10).

The Department of Health and Hospitals, Bureau of Health Services Financing now proposes to repeal the October 20, 1998 Rule governing the provisions for Medicaid eligibility of children receiving Supplemental Security Income (SSI) since children born August 22, 1996 or prior would have reached age 18 by August 22, 2014 and are no longer eligible under this provision. Due to the provisions governing coverage of the Section 4913 children, there cannot be any new children to qualify for this coverage group as these children have aged out.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session.

- (1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

It is anticipated that the implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 14-15. It is anticipated that \$324 will be expended FY 14-15 for the state's administrative expense for the promulgation of this proposed rule and the final.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) _____ If yes, attach documentation.

(b) _____ If no, provide justification as to why this rule change should be published at this time.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

I. A. COST OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase or (decrease) in cost to implement the proposed action?

COST	FY 14-15	FY 15-16	FY 16-17
PERSONAL SERVICES			
OPERATING EXPENSES	\$324	\$0	\$0
PROFESSIONAL SERVICES			
OTHER CHARGES			
REPAIR & CONSTR.			
POSITIONS (#)			
TOTAL	\$324	\$0	\$0

2. Provide a narrative explanation of the costs or savings shown in "A.1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

In FY 14-15, \$324 will be spent for the state's administrative expense for promulgation of this proposed rule and the final rule.

3. Sources of funding for implementing the proposed rule or rule change.

Source	FY 14-15	FY 15-16	FY 16-17
STATE GENERAL FUND	\$162	\$0	\$0
SELF-GENERATED			
FEDERAL FUND	\$162	\$0	\$0
OTHER (Specify)			
Total	\$324	\$0	\$0

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

Yes, sufficient funds are available to implement this rule.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THIS PROPOSED ACTION.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustment in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

This proposed rule has no known impact on local governmental units.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

2. Indicate the sources of funding of the local governmental unit that will be affected by these costs or savings.

There is no known impact on the sources of local governmental unit funding.

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

- A. What increase or (decrease) in revenues can be expected from the proposed action?

REVENUE INCREASE/DECREASE	FY 14-15	FY 15-16	FY 16-17
STATE GENERAL FUND			
AGENCY SELF-GENERATED			
RESTRICTED FUNDS*			
FEDERAL FUNDS	\$162	\$0	\$0
LOCAL FUNDS			
Total	\$162	\$0	\$0

*Specify the particular fund being impacted

- B. Provide a narrative explanation of each increase or decrease in revenue shown in "A". Describe all data, assumptions, and methods used in calculating these increases or decreases.

In FY 14-15, \$162 will be collected for the federal share of the administrative expense for promulgation of this proposed rule and the final rule.

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS

- A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effects on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.)

This proposed rule repeals the October 20, 1998 rule governing the Medicaid eligibility of children receiving Supplemental Security Income provisions since children born August 22, 1996 or prior would have reached age 18 by August 22, 2014 and are no longer eligible under this provision.

- B. Also, provide an estimate of any revenue impact resulting from this rule or rule change to these groups.

It is anticipated that the implementation of this proposed rule will not have economic cost or benefits for FY 14-15, FY 15-16, and FY 16-17.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

This rule has no known effect on competition and employment.