ENROLLED

2020 Second Extraordinary Session

HOUSE CONCURRENT RESOLUTION NO. 21

BY REPRESENTATIVES WHEAT, ADAMS, AMEDEE, BRYANT, BUTLER, CARRIER, COX, EDMONDS, FREIBERG, HORTON, MIKE JOHNSON, TRAVIS JOHNSON, MCMAHEN, ORGERON, CHARLES OWEN, SCHAMERHORN, SELDERS, THOMAS, AND THOMPSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Health to immediately submit certain documentation to the Centers for Medicare and Medicaid Services to provide financial relief for providers of adult day center services, home- and community-based services, and intermediate care facilities for people with developmental disabilities.

WHEREAS, the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services, referred to hereafter in this Resolution as "CMS", is authorized by Section 1915(c)(4)(b) of the Social Security Act to allow certain providers to continue to bill for individuals enrolled in a Medicaid program and individuals receiving personal care or habilitation services that include personal care specified in their person-centered service plan when circumstances prevent these individuals from receiving these services; and

WHEREAS, these services could include self-quarantining activities during the COVID-19 public health emergency, which led to the temporary closure of a provider or limited a provider's ability to furnish the type of in-person services that are typically included in the service plan; and

WHEREAS, CMS is currently authorizing certain home- and community-based providers to bill and receive retainer payments for individuals enrolled in Medicaid even if the service cannot be provided during the COVID-19 public health emergency; and

WHEREAS, on March 22, 2020, the Louisiana Department of Health ordered that all adult day center services shall close to protect the health and safety of individuals during the COVID-19 public health emergency; and

WHEREAS, as of the date of filing this Resolution, adult day service centers have remained closed and are at risk of permanent closure due to the financial hardships experienced through the COVID-19 public health emergency; and

WHEREAS, this legislature finds that these services are essential to the health and well-being of persons with disabilities and funding for these services is critical during this public health emergency.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana Department of Health to immediately submit requests for all retainer payments associated with the COVID-19 public health emergency for home- and community-based service providers.

BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana Department of Health to submit the applicable documentation necessary for a temporary rate increase for providers of adult day center services, home- and community-based services, and intermediate care facilities for people with developmental disabilities.

BE IT FURTHER RESOLVED that the Louisiana Department of Health shall submit Appendix k of its home- and community-based waivers for people with developmental disabilities applicable to retainer payments to the House Committee on Health and Welfare, House Committee on Appropriations, Senate Committee on Health and Welfare, Senate Committee on Finance, and the David R. Poytner Legislative Research Library not later than thirty days after final adjournment of the 2020 Second Extraordinary Session.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Louisiana Department of Health.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE