



LNHA State Regulatory Update: August 2017

Notice of Intent

Nursing Facilities: Reimbursement Methodology (LAC 50:II.20001)

As a result of a budgetary shortfall in state fiscal year (SFY) 2017-2018, the Louisiana Department of Health (LDH) promulgated an Emergency Rule which amended the provisions governing the reimbursement methodology for nursing facilities in order to suspend the provisions of LAC 50:II.Chapter 200. It also imposes provisions to ensure that the current rates in effect do not increase for the SFY 2018 rating period. LNHA detailed the provisions in the [July Regulatory Update](#). This proposed rule continues the provisions of the July 1, 2017, Emergency Rule.

Nursing Facilities: Standards for Payment, Level of Care Pathways (LAC 50:II.10156)

LDH is proposing to amend the provisions governing level of care pathways to further clarify the level of care determinations. The amendments clarify provisions regarding the following pathways: activities of daily living, physician involvement, treatments and conditions, skilled rehabilitation therapies, behavior, and service dependency. The full text of the [proposed amendments](#) is on page 1683 (page 191 of the PDF).

Home- and Community-Based Service Providers Licensing Standards (LAC 48:I.Chapters 50 and 51)

In December 2016, LDH issued a Notice of Intent which proposed to amend the provisions governing the licensing standards for home- and community-based service (HCBS) providers to further clarify and correct the formatting of these provisions to assure that these provisions were communicated in a clear and concise manner in the Louisiana Administrative Code. As a result of comments received, the Department felt it was necessary to abandon the proposal.

The Department now proposes to publish a revised Notice of Intent to clarify further and correct the formatting of the provisions governing the licensing standards for HCBS providers to assure that these provisions are promulgated in a clear and concise manner.

The proposal is extensive and impacts numerous provisions. It addresses the initial licensure process, surveys, license renewals, statement of deficiencies, admissions, discharges and many other topics. The full text of the [proposal](#) is on page 1647 (page 155 of the PDF).

A public hearing on the aforementioned proposed rules is scheduled for September 28, 2017, at 9:30 a.m. The hearing will take place at the [Bienville Building](#), Room 118, located at 628 North Fourth Street, Baton Rouge, LA. If you have any comments regarding this proposal or the regulatory update, submit them to LNHA's Legal and Policy Director, [Wes Hataway](#), before the scheduled date. The full text of the August edition of the *Louisiana Register* can be found [here](#).