

DECLARATION OF EMERGENCY

Department of Health Bureau of Health Services Financing

Intermediate Care Facilities for Persons with
Intellectual Disabilities—Temporary Reimbursement
for Private Facilities (LAC 50:VII.32904)

The Department of Health, Bureau of Health Services Financing hereby rescinds the February 1, 2021 Emergency Rule which adopted provisions in the Medical Assistance Program in order to implement a temporary reimbursement rate for private intermediate care facilities for persons with intellectual disabilities (ICFs/IID) as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Emergency Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:953(B)(1) et seq., and shall be in effect for the maximum period allowed under the Act or until adoption of the final Rule, whichever occurs first.

The Department of Health, Bureau of Health Services Financing promulgated an Emergency Rule which adopted provisions governing the temporary rates for intermediate care facilities for persons with intellectual disabilities (ICFs/IID) that have a cooperative endeavor agreement with the Office for Citizens with Developmental Disabilities and have a high concentration of people who have intellectual/developmental disabilities, significant behavioral health needs, and high risk behavior resulting in previous interface with the judicial system, and for whom no other private ICFs/IID provider is able to support (*Louisiana Register*, Volume 47, Number 2). The department has now determined that it is necessary to rescind the Emergency Rule which was adopted on February 1, 2021 and published in the February 20, 2021 edition of the *Louisiana Register*.

Effective February 19, 2021, the Department of Health, Bureau of Health Services Financing hereby rescinds the February 1, 2021 Emergency Rule which amended the provisions governing temporary rates for intermediate care facilities for persons with intellectual disabilities.

Interested persons may submit written comments to Tara A. LeBlanc, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030. Ms. LeBlanc is responsible for responding to inquiries regarding this Emergency Rule. A copy of this Emergency Rule is available for review by interested parties at parish Medicaid offices.

Dr. Courtney N. Phillips
Secretary