DECLARATION OF EMERGENCY
Department of Health
Bureau of Health Services Financing

Emergency Telemedicine/Telehealth
(LAC 50:1.505)

The Department of Health, Bureau of Health Services Financing adopts LAC 50:1.505 in the Medical Assistance Program 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. 49:953.1, 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 coverage of telemedicine during a declared emergency (Louisiana Register, Volume 46, Number 4). The department has now determined that it is necessary to amend the March 16, 2020 Emergency Rule in order to update and clarify the provisions governing telemedicine/telehealth services provided through an interactive audio system, without the requirement of video, in the event of a declared emergency or disaster. This action is being taken to promote the health and welfare of Medicaid beneficiaries by ensuring continued and expanded access to telemedicine/telehealth services in the event of a declared emergency or disaster.

Effective April 20, 2022, the Department of Health, Bureau of Health Services Financing amends the Emergency Rule adopted on March 16, 2020 in order to update and clarify the provisions governing coverage of telemedicine/telehealth in the event of a declared emergency or disaster.

Title 50
PUBLIC HEALTH—MEDICAL ASSISTANCE
Part I. Administration
Subpart 1. General Provisions
Chapter 5. Telemedicine/Telehealth
A. In the event that the federal or state government declares an emergency or disaster, the Medicaid Program may temporarily cover services provided through the use of an interactive audio telecommunications system, without the requirement of video, if such action is deemed necessary to ensure sufficient services are available to meet beneficiaries' needs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Interested persons may submit written comments to Patrick Gillies, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030. Mr. Gillies 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.