

Regular Session, 2012

SENATE BILL NO. 227

BY SENATOR MILLS

HEALTH/HOSPITALS DEPT. Creates the Money-Follows-the-Person Initiative. (gov sig)

1 AN ACT

2 To enact Part VI of Chapter 4-A of Title 28 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 28:456.1 through 456.5, relative to the Department of Health and
4 Hospitals; to provide for the conversion and transfer of private immediate care
5 facility for the developmentally disabled beds; to create new residential options
6 waiver slots; to provide for the termination of the initiative; and to provide for
7 related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Part VI of Chapter 4-A of Title 28 of the Louisiana Revised Statutes of
10 1950, comprised of R.S. 28:456.1 through 456.5 is hereby enacted to read as follows:

11 **PART VI. MONEY-FOLLOWS-THE-PERSON INITIATIVE**

12 **§456.1. Title**

13 **This Part shall be known as the Money-Follows-the-Person Initiative.**

14 **§456.2. Purpose**

15 **The purpose of this initiative is to provide support for private providers**
16 **of intermediate care facilities for the developmentally disabled to voluntarily**
17 **convert to home and community-based waiver services and provide the**

1 residents of intermediate care facilities for the developmentally disabled a
2 choice to live in a more integrated setting using a home and community-based
3 services. The Money-Follows-the-Person rebalancing demonstration authorized
4 by federal law was designed to assist states to balance their long-term care
5 systems for persons with developmental disabilities and help Medicaid enrollees
6 transition from institutions to a community setting. The goals of the Money-
7 Follows-the-Person rebalancing demonstration are to transition individuals
8 from institutions who want to live in the community, and to promote a strategic
9 approach to implement a system that provides person centered services, and a
10 quality management strategy that ensures the provision of and improvement of
11 such services in both home and community-based settings and institutions.

12 **§456.3. Definitions**

13 **As used in this Part:**

14 **(1) Money-Follows-the-Person means a system of flexible financing for**
15 **long-term services and supports that enables available funds to move with the**
16 **individual to the most appropriate and preferred setting as the individual's**
17 **needs and preferences change. This approach involves a financial system that**
18 **allows Medicaid funds to be spent on home and community-based services when**
19 **individuals move to the community and an institutional setting transition**
20 **program that identifies and assists individuals in institutions who wish to**
21 **transition to the community.**

22 **§456.4. Persons served and stakeholder input**

23 **All persons served in Louisiana private intermediate care facilities for**
24 **the developmentally disabled may be eligible to participate in the Money-**
25 **Follows-the-Person rebalancing demonstration. Provider participation in**
26 **residential options waiver conversion shall be voluntary.**

27 **The office of citizens with developmental disabilities shall consult with**
28 **interested stakeholders in the Money-Follows-the-Person development process.**

29 **§456.5. Termination**

1 **The provisions of this Part shall terminate on September 30, 2020 or**
2 **upon expiration of the Money-Follows-the-Person rebalancing demonstration**
3 **award to the Louisiana Medicaid program, whichever occurs first.**

4 Section 2. This Act shall become effective upon signature by the governor or, if not
5 signed by the governor, upon expiration of the time for bills to become law without signature
6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
7 vetoed by the governor and subsequently approved by the legislature, this Act shall become
8 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Christopher D. Adams.

DIGEST

Proposed law implements the Money-Follows-the-Person Initiative by the Department of Health and Hospitals.

Proposed law provides support for private providers of intermediate care facilities for the developmental disabled to voluntarily convert to home and community-based waiver services and provides the residents of intermediate care facilities for the developmental disabled a choice to live in a more integrated setting using a home and community-based services waiver.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 28:456.1 through 456.5)