

Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R. S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

Title 50

PUBLIC HEALTH—MEDICAL ASSISTANCE

Part II. Nursing Facilities

Subpart 5. Reimbursement

Chapter 200. Reimbursement Methodology

§20026. Geriatric Training Nursing Facility

Reimbursement Rate

Note: The provisions of this Section shall be subject to approval by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) of a State Plan amendment authorizing such payment.

A. Effective for dates of service on or after July 1, 2019, LDH shall provide a private nursing facility reimbursement rate of \$365.68 per resident per day to an entity that meets the following criteria:

1. the entity has a cooperative endeavor agreement (CEA) with Louisiana State University (LSU) to operate the current John J. Hainkel, Jr. Home and Rehabilitation Center or any other future location used to operate John J. Hainkel, Jr. Home and Rehabilitation Center which has been approved by the parties and the department, as a geriatric training nursing facility.

B. The private nursing facility reimbursement rate established in Subsection A above is all-inclusive.

1. Add-ons, including, but not limited to, technology dependent care (TDC), nursing facility rehabilitation services and nursing facility complex care services add-ons shall not be permitted under this reimbursement rate.

C. Any nursing facility that meets the criteria set forth in Subsection A above shall file an annual cost report with LDH within five months following the end of the facility's fiscal year.

D. The provisions of this Rule shall be subject to approval by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) of a State Plan amendment authorizing such payment.

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 45:756 (June 2019), repromulgated LR 45:909 (July 2019).

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.

Rebekah E. Gee MD, MPH
Secretary

1907#036

RULE

**Department of Health
Bureau of Health Services Financing**

**Pharmacy Benefits Management Program
State Supplemental Rebate Agreement Program
(LAC 50:XXIX.Chapter 11)**

The Department of Health, Bureau of Health Services Financing has amended LAC 50:XXIX.Chapter 11 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

Title 50

PUBLIC HEALTH-MEDICAL ASSISTANCE

Part XXIX. Pharmacy

Chapter 11. State Supplemental Rebate Agreement Program

§1101. General Provisions

A. The Centers for Medicare and Medicaid Services approved LDH to enter into state supplemental rebate agreements with pharmaceutical manufacturer(s). LDH may enter into an agreement with a pharmaceutical manufacturer to obtain a rebate(s) in addition to federal rebates pursuant to 42 U.S.C. 1396r. Participation by a pharmaceutical manufacturer in a state supplemental rebate agreement with the department is voluntary.

B. Repealed.

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 43:966 (May 2017), amended LR 45:909 (July 2019).

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.

Rebekah E. Gee MD, MPH
Secretary

1907#034

RULE

**Department of Health
Board of Nursing**

**Application Fee for Compact Licensure
(LAC 46:XLVII.3341)**

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 37:917-918, that the State Board of Nursing (LSBN) is implementing a law that became final during the 2018 Regular Legislative Session. Act 577 was passed which

allowed Louisiana to participate in the Nurse Licensure Compact (NLC) for registered nurses and licensed practical nurses. As a result, the State Board of Nursing (LSBN) will incur a slight increase in administrative costs and a relative increase in salary expenditures based on the number of registered nurse applications submitted.

In order to be party to the Multi-State Nurse Licensure Compact, an annual administrative fee of \$6,000 will be paid to the compact's Interstate Commission for which LSBN will be responsible for \$3,000 and the State Board of Practical Nurse Examiners (LSBPNE) will be responsible for \$3,000. The LSBN anticipates having to attend quarterly Commission meetings costing approximately \$4,000 annually. The LSBN anticipates funding the compact membership fee and travel expenses utilizing existing resources and budget authority.

As identified in Article III of La. R.S. 37:1018, staff must review applications to ensure that the applicant meets the criteria for compact licensure. By requiring a fee, the board will be able to offset administrative costs associated with reviewing applications and converting current licensees from a single-state license to a multi-state license. This Rule is hereby adopted on the day of promulgation.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part XLVII. Nurses: Practical Nurses and Registered Nurses

Subpart 2. Registered Nurses

Chapter 33. General

Subchapter C. Registration and Registered Nurse Licensure

§3341. Fees

A. Notwithstanding any provisions of this Chapter, the board shall collect in advance fees for licensure and administrative services as follows;

1. Licensure Fees:
 - a. RN examination application—\$100;
 - b. RN endorsement application—\$100;
 - c. Enrollment application—\$50;
 - d. RN renewal application—\$100;
 - e. RN late fee - \$50 (plus renewal fee);
 - f. Retired license application (one-time fee)—\$100;
 - g. RN reinstatement application—\$100;
 - h. Initial APRN licensure application—\$100;
 - i. RN/APRN endorsement temporary permit fee—\$100;
 - j. APRN endorsement application—\$100;
 - k. APRN renewal application—\$100;
 - l. APRN late fee—\$100 (plus renewal fee);
 - m. APRN reinstatement application—\$100;
 - n. APRN prescriptive authority application—\$100
 - o. APRN prescriptive authority site change fee—\$50;
 - p. Reinstatement of prescriptive authority privileges—\$100;
 - q. Verification of licensure—\$25;
 - r. LARN Compact Conversion application—\$50

2. Miscellaneous

- a. Consultation—\$100/hour;
- b. Photo copies—\$0.50/page;
- c. Certified Documents—\$1.00/page;
- d. Listing of Registered Nurses/Advanced Practice
 - i. Registered Nurses—\$10 programming fee plus costs as follows \$0.02/per name on disk
- e. Special Programming Request Actual Costs—minimum \$100 per program

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:918 and R.S. 37:927.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 8:417 (August 1982), amended by the Department of Health and Hospitals, Board of Nursing, LR 14:533 (August 1988), LR 22:981 (October 1996), repromulgated LR 24:1293 (July 1998), amended LR 26:84 (January 2000), LR 30:2829 (December 2004), LR:31:2027 (August 2005), LR 36:1246 (June 2010), LR 37:3027 (October 2011). LR 40:1696 (September 2014), amended by the Department of Health, Board of Nursing, LR 45:910 (July 2019).

Dr. Karen C. Lyon
Executive Director

1907#002

RULE

Department of Health Board of Nursing

Undergraduate Clinical Courses
(LAC 46:XLVII.3324)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 37:917-918, that the Louisiana State Board of Nursing (LSBN) has adopted Rule changes to LAC 46:XLVII 3324.C. and E. that allows discretion in rendering a decision for nursing students who falsify their application or fail to disclose information which should have been reported to LSBN. Some students are being penalized for actions that were taken at a young age or that they assumed were expunged from their record. The current rule denies enrollment/progression in clinical courses and the ability to resubmit an application for a minimum of five years. Because of the broad range of case-by-case circumstances, all students should be evaluated individually and decisions rendered in accordance with our current Just Culture philosophy as we do for other disciplinary actions. The Rule change states "up to five years" instead of a "minimum of five years" and allows staff and the appointing authority discretion in adjudicating each application. This allows for the situation to be evaluated and a fair decision rendered according to the severity of the infraction(s). A technical change in Chapter 33, Section 3324 C. is deemed necessary to give the appointing authority the flexibility to render a decision that is not aligned with a permanent action(s). This Rule is hereby adopted on the day of promulgation.