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**State/Territory Name:** Louisiana

**State Plan Amendment (SPA) #:** LA-21-0017

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) State Plan Pages



**Children and Adults Health Programs Group**

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September 8, 2021

Michael Boutte  
Interim Medicaid Executive Director  
State of Louisiana, Department of Health  
Bureau of Health Services Financing  
628 North 4th Street  
Baton Rouge, LA 70821-0629

Dear Mr. Boutte:

Your title XXI Children's Health Insurance Program (CHIP) state plan amendment (SPA) number LA-21-0017, submitted on June 30, 2021, has been approved. This SPA has a retroactive effective date of April 1, 2021.

Through this SPA, Louisiana adds three exceptions to the 90-day waiting period for CHIP coverage including involuntary termination of health benefits due to a long-term disability or other medical condition, exhausting coverage under the COBRA continuation provision, and reaching the COBRA life maximum. A copy of the approved CS20 page is attached to be incorporated into the state's approved CHIP state plan. This page supersedes the previous CS20 that was approved on April 11, 2014.

Your title XXI project officer is Ms. Sandra Phelps. She is available to answer questions concerning this amendment and other CHIP-related issues. Ms. Phelps' contact information is as follows:

Centers for Medicare & Medicaid Services  
Center for Medicaid and CHIP Services  
7500 Security Boulevard, Mail Stop S2-01-16  
Baltimore, MD 21244-1850  
Telephone: (410) 786-1968  
E-mail: [Sandra.Phelps@cms.hhs.gov](mailto:Sandra.Phelps@cms.hhs.gov)

If you have additional questions, please contact Ms. Meg Barry, Director, Division of State Coverage Programs at (410) 786-1536. We look forward to continuing to work with you and your staff.

Sincerely,  
/Signed by Amy  
Lutzky/

Amy Lutzky  
Deputy Director



# CHIP Eligibility

State Name:

OMB Control Number: 0938-1148

Transmittal Number: LA - 21 - 0017

## Separate Child Health Insurance Program Non-Financial Eligibility - Substitution of Coverage CS20

Section 2102(b)(3)(C) of the SSA and 42 CFR 457.340(d)(3), 457.350(i), and 457.805

### Substitution of Coverage

The CHIP Agency provides assurance that it has methods and policies in place to prevent the substitution of group health coverage or other commercial health insurance with public funded coverage. These policies include:

Substitution of coverage prevention strategy:

Add	Name of policy	Description	Remove
<b>Add</b>	Coordination of Benefits (COB) Match	In addition to using employer-based coverage information provided on applications, Louisiana conducts a cross match with group health insurance providers through our third-party liability contractor to determine current and recent health insurance status. This match assists in verifying that the applicant is uninsured and has met the required period of uninsurance. This match also provides an independent source of data for the number of individuals who applied for CHIP and had private insurance within the previous 90 days prior to application.	<b>Remove</b>

A waiting period during which an individual is ineligible due to having dropped group health coverage.

How long is the waiting period?

- One month
- Two months
- 90 days
- Other

The state allows exemptions from the waiting period for the following reasons:

- The premium paid by the family for coverage of the child under the group health plan exceeded 5 percent of household income.
- The child's parent is determined eligible for advance payment of the premium tax credit for enrollment in a QHP through the Marketplace because the ESI in which the family was enrolled is determined unaffordable in accordance with 26 CFR 1.36B-2(c)(3)(v).
- The cost of family coverage that includes the child exceeded 9.5 percent of the household income.
- The employer stopped offering coverage of dependents (or any coverage) under an employer-sponsored health insurance plan.
- A change in employment, including involuntary separation, resulted in the child's loss of employer-sponsored insurance (other than through full payment of the premium by the parent under COBRA).



# CHIP Eligibility

- The child has special health care needs.
- The child lost coverage due to the death or divorce of a parent.

Does the state allow other exemptions in addition to those listed above?

Add	Describe	Remove
<b>Add</b>	Involuntary termination of health benefits due to a long-term disability or other medical condition.	<b>Remove</b>
<b>Add</b>	The child has exhausted coverage under the COBRA continuation provision (i.e., COBRA expired).	<b>Remove</b>
<b>Add</b>	The COBRA lifetime maximum has been reached.	<b>Remove</b>

- Describe the processes the state employs to facilitate enrollment of CHIP-eligible children who have satisfied the waiting period.

The children who apply while in the waiting period will be processed up to the point of having their eligibility approval entered into the eligibility system. It will be in a pending status until released at the end of the waiting period. This will be documented in the case record and an alert entered as to the waiting period status. Pending list reports are monitored frequently by eligibility staff and their supervisors and used as a mechanism to track applications through the eligibility process (i.e. pending verification/information request, etc.), to ensure timely processing and for workload balancing.

- Describe the processes the state employs to coordinate coverage of children subject to a waiting period with other insurance affordability programs, including safeguards to prevent gaps in coverage for children transitioning from another insurance affordability program to CHIP after satisfying the waiting period.

Applications (either sent directly to the State, or referred from other insurance affordability programs to the CHIP agency) determined eligible for CHIP except for satisfying the waiting period, will be placed in a pending status. For children who meet an exception to the waiting period or for whom a waiting period does not apply, the state will notify the other insurance affordability program (such as the FFM for QHP coverage) through an electronic account transfer of the date in which the individual is enrolled into the separate CHIP program. For children subject to a waiting period, the applicant status will change from a pending to active status upon completion of the waiting period, and the state will notify the other insurance affordability program of the start and end date through an electronic account transfer.

The state provides assurance that:

- It does not require a new application or the submission of information already provided by the family immediately preceding the waiting period for the purpose of enrolling CHIP-eligible children who have satisfied a waiting period.
- For children subject to the waiting period, it will promptly transfer each individual's electronic account to the applicable insurance affordability program and notify such program of the date on which the waiting period ends for each individual.

If the state covers pregnant women, the waiting period does not apply to pregnant women.

If the state elects to offer dental only supplemental coverage, the following assurances apply:

- The other coverage exclusion does not apply to children who are otherwise eligible for dental only supplemental coverage as provided in section 2110(b)(5) of the SSA.
- The waiting period does not apply to children eligible for dental only supplemental coverage.



# CHIP Eligibility

## PRA Disclosure Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-1148. The time required to complete this information collection is estimated to average 50 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

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