Table of Contents

State/Territory Name: Louisiana

State Plan Amendment (SPA) #: 19-0009 MMDL

This file contains the following documents in the order listed:

1) Approval Letter
2) CMS 179 Form
3) Approved Page

CMS-10434 OMB 0938-1188

Package Information

Package ID	LA2018MS0007O	**Submission Type**	Official
Program Name	N/A	**State**	LA
SPA ID	LA-19-0009	**Region**	Dallas, TX
Version Number	4	**Package Status**	Approved
Submitted By	MARJORIE JENKINS	**Submission Date**	1/22/2019
Package Disposition		**Approval Date**	3/22/2019 12:36 PM EDT
Priority Code	P2		

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Dallas Regional Office
1301 Young Street, Suite 833
Dallas, TX 75202

Division of Medicaid and Children's Health Operations

Ms Jen Steele
State Medicaid Director
Louisiana Department of Health
628 North 4th Street
Post Office Box 91030
Baton Rouge, LA, LA 70821-9030

Re: Approval of State Plan Amendment LA-19-0009

Dear Ms. Steele :

On January 22, 2019, the Centers for Medicare and Medicaid Services (CMS) received Louisiana State Plan Amendment (SPA) LA-19-0009 to The purpose of this State Plan Amendment (SPA) is to adopt the CHIPRA option which will provide Medicaid coverage by eliminating the five-year waiting period and provide coverage to lawfully residing children under the age of 19..

We approve Louisiana State Plan Amendment (SPA) LA-19-0009 on March 22, 2019 with an effective date(s) of February 01, 2019.

Name	Date Created
No items available	

If you have any questions regarding this amendment, please contact Cheryl Rupley at 2147676278 or cheryl.rupley@cms.hhs.gov.

Sincerely,

Bill Brooks

Director
Centers for Medicaid & CHIP Services
Regional Operations Group

Division of Medicaid and Children's
Health Operations

Submission - Summary

MEDICAID | Medicaid State Plan | Eligibility | LA2018MS0007O | LA-19-0009

Package Header

Package ID LA2018MS0007O

SPA ID LA-19-0009

Submission Type Official

Initial Submission Date 1/22/2019

Approval Date 3/22/2019

Effective Date N/A

Superseded SPA ID N/A

State Information

State/Territory Name: Louisiana

Medicaid Agency Name: Louisiana Department of Health

Submission Component

- (●) State Plan Amendment
- (●) Medicaid
- ( ) CHIP

Submission - Summary

MEDICAID | Medicaid State Plan | Eligibility | LA2018MS0007O | LA-19-0009

Package Header

Package ID LA2018MS0007O

SPA ID LA-19-0009

Submission Type Official

Initial Submission Date 1/22/2019

Approval Date 3/22/2019

Effective Date N/A

Superseded SPA ID N/A

SPA ID and Effective Date

SPA ID LA-19-0009

Reviewable Unit	Proposed Effective Date	Superseded SPA ID
Citizenship and Non-Citizen Eligibility	2/1/2019	LA-13-0054

Submission - Summary

MEDICAID | Medicaid State Plan | Eligibility | LA2018MS0007O | LA-19-0009

Package Header

Package ID LA2018MS0007O

SPA ID LA-19-0009

Submission Type Official

Initial Submission Date 1/22/2019

Approval Date 3/22/2019

Effective Date N/A

Superseded SPA ID N/A

Executive Summary

Summary Description Including Goals and Objectives The purpose of this SPA is to adopt the CHIPRA option which will eliminate the five-year waiting period and provide coverage to lawfully residing children, under the age of 19.

Federal Budget Impact and Statute/Regulation Citation

Federal Budget Impact

	Federal Fiscal Year	Amount
First	2019	$16904
Second	2020	$969906

Federal Statute / Regulation Citation

1903(v)(4) of the Social Security Act.

Supporting documentation of budget impact is uploaded (optional).

Name	Date Created
No items available	

Submission - Summary

MEDICAID | Medicaid State Plan | Eligibility | LA2018MS0007O | LA-19-0009

Package Header

Package ID LA2018MS0007O

SPA ID LA-19-0009

Submission Type Official

Initial Submission Date 1/22/2019

Approval Date 3/22/2019

Effective Date N/A

Superseded SPA ID N/A

Governor's Office Review

- ○ No comment
- ○ Comments received
- ○ No response within 45 days
- ◉ Other

Describe The Governor does not review State Plan material

Medicaid State Plan Eligibility

Non-Financial Eligibility

Citizenship and Non-Citizen Eligibility

MEDICAID | Medicaid State Plan | Eligibility | LA2018MS0007O | LA-19-0009

Package Header

Package ID	LA2018MS0007O	**SPA ID**	LA-19-0009
Submission Type	Official	**Initial Submission Date**	1/22/2019
Approval Date	3/22/2019	**Effective Date**	2/1/2019
Superseded SPA ID	LA-13-0054		

System-Derived

☐ The state provides Medicaid to citizens and nationals of the United States and certain non-citizens who meet all other Medicaid eligibility requirements under the state plan, consistent with requirements of 42 CFR 435.406, including during a reasonable opportunity period pending verification of their citizenship, national status or satisfactory immigration status.

A. Citizens, Nationals and Eligible Non-Citizens

The state provides Medicaid eligibility to otherwise eligible individuals:

1. Who are citizens or nationals of the United States; or

2. Who are qualified non-citizens as defined in section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) (8 U.S.C. §1641) or who are non-citizens treated as refugees under other federal statutes for purposes of Medicaid eligibility, subject to the requirements at 8 U.S.C. §1612(b)(2), and are not restricted by section 403 of PRWORA (8 U.S.C. §1613); or who are non-citizens whose eligibility is required by 8 U.S.C. 1612(b)(2)(E) and (F); and

3. Who have declared themselves to be citizens or nationals of the United States, or non-citizens having satisfactory immigration status, during a reasonable opportunity period pending verification of their citizenship, nationality or satisfactory immigration status consistent with requirements of 1903(x), 1137(d), 1902(ee) of the SSA and 42 CFR 435.406, 911, and 956.

The reasonable opportunity period begins on and extends 90 days from the date the notice of reasonable opportunity is received by the individual.

a. The agency provides for an extension of the reasonable opportunity period for non-citizens if the non-citizen is making a good faith effort to resolve any inconsistencies or obtain any necessary documentation, or the agency needs more time to complete the verification process.

○ Yes

◉ No

☐ b. When a reasonable opportunity period is provided, the agency furnishes benefits to otherwise eligible individuals on the following date:

The date benefits are furnished is:

◉ i. The date of the application containing the declaration of citizenship or immigration status.

○ ii. The first day of the month of application.

Citizenship and Non-Citizen Eligibility

MEDICAID | Medicaid State Plan | Eligibility | LA2018MS0007O | LA-19-0009

Package Header

Package ID	LA2018MS0007O	**SPA ID**	LA-19-0009
Submission Type	Official	**Initial Submission Date**	1/22/2019
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Superseded SPA ID	LA-13-0054		
	System-Derived		

B. Optional Coverage of Qualified Non-Citizens

The state provides Medicaid coverage to all otherwise-eligible Qualified Non-Citizens whose eligibility is not restricted by section 403 of PRWORA (8 U.S.C. §1613).

◉ Yes

○ No

Citizenship and Non-Citizen Eligibility

MEDICAID | Medicaid State Plan | Eligibility | LA2018MS0007O | LA-19-0009

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C. Coverage of Lawfully Residing Individuals

The state elects the option to provide Medicaid coverage to otherwise eligible individuals, lawfully residing in the United States, as provided in section 1903(v)(4) of the Act.

◉ Yes

○ No

☐ 1. Pregnant women

☐ 2. Individuals under a specified age:

○ a. Individuals under age 21

○ b. Individuals under age 20

◉ c. Individuals under age 19

3. An individual is considered to be lawfully residing in the United States if he or she is lawfully present and otherwise meets the eligibility requirements in the state plan.

4. An individual is considered to be lawfully present in the United States if he or she is:

a. A qualified non-citizen as defined in 8 U.S.C. 1641(b) and (c);

b. A non-citizen in a valid nonimmigrant status, as defined in 8 U.S.C. 1101(a)(15) or otherwise under the immigration laws (as defined in 8 U.S.C. 1101(a)(17));

c. A non-citizen who has been paroled into the United States in accordance with 8 U.S.C.1182(d)(5) for less than 1 year, except for an individual paroled for prosecution, for deferred inspection or pending removal proceedings;

d. A non-citizen who belongs to one of the following classes:

i. Granted temporary resident status in accordance with 8 U.S.C.1160 or 1255a, respectively;

ii. Granted Temporary Protected Status (TPS) in accordance with 8 U.S.C. §1254a, and individuals with pending applications for TPS who have been granted employment authorization;

iii. Granted employment authorization under 8 CFR 274a.12(c);

iv. Family Unity beneficiaries in accordance with section 301 of Pub. L. 101-649, as amended;

v. Under Deferred Enforced Departure (DED) in accordance with a decision made by the President;

vi. Granted Deferred Action status;

vii. Granted an administrative stay of removal under 8 CFR 241;

viii.Beneficiary of approved visa petition who has a pending application for adjustment of status;

e. Is an individual with a pending application for asylum under 8 U.S.C. 1158, or for withholding of removal under 8 U.S.C.1231,or under the Convention Against Torture who:

i. Has been granted employment authorization; or

ii. Is under the age of 14 and has had an application pending for at least 180 days;

f. Has been granted withholding of removal under the Convention Against Torture;

g. Is a child who has a pending application for Special Immigrant Juvenile status as described in 8 U.S.C.1101(a)(27)(J);

h. Is lawfully present in American Samoa under the immigration laws of American Samoa; or

i. Is a victim of severe trafficking in persons, in accordance with the Victims of Trafficking and Violence Protection Act of 2000, Pub. L. 106-386, as amended (22 U.S.C. 7105(b)).

j. Exception: An individual with deferred action under the Department of Homeland Security's deferred action for the childhood arrivals process, as described in the Secretary of Homeland Security's June 15, 2012 memorandum, shall not be considered to be lawfully present with respect to any of the above categories in paragraphs (a) through (i) of this definition.

☐ k. Other

Description:

Exceptions:

1. Individuals granted an administrative stay of removal under 8 CFR 241, described under 4.d.vii. above, are not considered to be lawfully present;
2. Individuals granted employment authorization under 8 CFR 274a.12(c)(35) and (c)(36), described under paragraph 4.d.iii., are not considered to be lawfully present unless they have an immigration status considered lawfully present under paragraph 4.a through i.

Citizenship and Non-Citizen Eligibility

MEDICAID | Medicaid State Plan | Eligibility | LA2018MS0007O | LA-19-0009

Package Header

Package ID	LA2018MS0007O	**SPA ID**	LA-19-0009
Submission Type	Official	**Initial Submission Date**	1/22/2019
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Superseded SPA ID	LA-13-0054		
	System-Derived		

D. Emergency Coverage

☐ The state assures that it provides limited Medicaid services for treatment of an emergency medical condition, not related to an organ transplant procedure, as defined in 1903(v)(3) of the Social Security Act and implemented at 42 CFR 440.255, to the following individuals who meet all Medicaid eligibility requirements, except documentation of citizenship or satisfactory immigration status and/or present an SSN:

1. Qualified non-citizens subject to the 5 year waiting period described in 8 U.S.C. 1613(a)

2. Non-qualified non-citizens, unless covered as a lawfully residing child or pregnant woman by the state under the option in accordance with 1903(v)(4) and implemented at 435.406(b).

E. Additional Information (optional)

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 0938-1188. The time required to complete this information collection is estimated to average 40 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.

This view was generated on 3/26/2019 1:54 PM EDT

Reviewable Units Print Preview

Select a reviewable unit below to view in a printer friendly format. To view all the package components in a consolidated print preview, click the "View Consolidated Print Preview" button at the bottom of the page. After generating the consolidated print preview, you may use your browser to print or save the content. The preview will automatically terminate after 5 minutes.

Request System Help

Should Package Information be included in the consolidated report?

● Yes ○ No

Should Approval/Disapproval notice be included in the consolidated report?

● Yes ○ No

Should RAI data be included in the consolidated report?

● Yes ○ No

Please select reviewable units that need to be present in the consolidated report. If none are selected, all of the reviewable units will be present in the consolidated report by default. Also, on click of an individual reviewable unit name, printer friendly format of that reviewable unit data can be viewed.

Submission Form - Reviewable Units

	Reviewable Unit	Updated By	Updated Date	Status
☐	Submission - Summary	MARJORIE JENKINS	3/22/2019 11:08 AM EDT	✓
☐	Submission - Public Comment	MARJORIE JENKINS	1/22/2019 3:24 PM EST	✓
☐	Submission - Tribal Input	MARJORIE JENKINS	1/22/2019 3:26 PM EST	✓

Medicaid Eligibility SPA - Reviewable Units

	Reviewable Unit	Proposed Effective Date	Effective Date	Updated By	Updated Date	Other Approved Version	Status
☑	Citizenship and Non-Citizen Eligibility	2/1/2019	2/1/2019	MARJORIE JENKINS	3/12/2019 5:56 PM EDT	●	✓

CANCEL

VIEW CONSOLIDATED PRINT PREVIEW