
To: AmeriHealth Caritas Louisiana Providers

Date: October 12, 2022

Subject: [Informational Bulletin 22-33](#): Act 151 Legislation to Allow for Exceptions for Limited Criminal Offenses in Medicaid Peer Support

Informational Bulletins that summarize policies and/or procedures are intended for quick reference and are accurate on the date they are approved.

Act 151: Legislation to Allow for Exceptions for Limited Criminal Offenses in Medicaid Peer Support

Act 151 amends R.S. 40:1203.3 to allow some exceptions for peer support specialists working in a behavioral health setting who would otherwise be prohibited from employment because of a prior conviction of certain crimes. This legislation assists with alleviating some of the barriers to employment for peer support specialists in Louisiana.

Act 151 amends R.S. 40:1203.3 to allow limited exceptions to the general prohibition of employing individuals with a positive background check. Peer support specialists who have been convicted of the following crimes may be employed with an LDH licensed behavioral health program when specific conditions are met:

- R.S. 14:38.1 – Mingling of Harmful Substances;
- R.S. 14:67 – Theft; and/or
- Distribution or possession with the intent to distribute controlled dangerous substances as listed in Schedules I through V of the Uniform Controlled Dangerous Substance Act

The following conditions must be met to allow for the exception by an employer:

- No less than three years prior to being hired as a peer support specialist, the person satisfactorily completed his sentence or was lawfully released from confinement, supervision, or probation imposed by a court for the person’s most recent conviction for an offense listed.

Please see links below for this legislation.

HB334 link: <https://legis.la.gov/legis/BillInfo.aspx?s=22RS&b=HB334&sbi=y>

Act 151 can be located at the following link:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1286088>

For full details, please see [IB 22-33](#)

Questions regarding this message should be directed to AmeriHealth Caritas Louisiana Provider Services at 1-888-922-0007. The Provider Services Department can be reached between 7:00 am – 7:00 pm daily.

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