

Adopted Rejected

COMMITTEE REPORT

YES: 20
NO: 0

MR. SPEAKER:

Your Committee on Ways and Means, to which was referred House Bill 1470, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT concerning Medicaid.
- 3 Delete everything after the enacting clause and insert the following:
- 4 SECTION 1. [EFFECTIVE JULY 1, 2009] (a) **As used in this**
- 5 **SECTION, "commission" refers to the select joint commission on**
- 6 **Medicaid oversight established by IC 2-5-26-3.**
- 7 (b) **As used in this SECTION, "health facility" means an entity**
- 8 **that is:**
- 9 (1) **licensed under IC 16-28 as a comprehensive care facility;**
- 10 **and**
- 11 (2) **a Medicaid provider under IC 12-15.**
- 12 (c) **As used in this SECTION, "price based reimbursement**
- 13 **system" means a system that includes the following components:**
- 14 (1) **A fixed price component for administrative costs,**
- 15 **including a statewide:**

- 1 **(A) direct care personnel price; and**
 2 **(B) price for personnel who do not provide direct care.**
 3 **(2) The following additional payments:**
 4 **(A) A fair rental value calculation for capital**
 5 **reimbursement that is the result of:**
 6 **(i) the number of beds; multiplied by**
 7 **(ii) the average historical cost of a health facility bed in**
 8 **Indiana; multiplied by**
 9 **(iii) a rental rate factor.**
 10 **(B) Therapy reimbursement for therapy services provided**
 11 **to a Medicaid recipient, based on either:**
 12 **(i) a ratio of therapy revenue reported on the health**
 13 **facility's Medicaid cost report to total therapy revenue**
 14 **reported; or**
 15 **(ii) directly billed therapy services.**
 16 **(C) A quality assessment fee for providers that make**
 17 **quality assessment payments.**
 18 **(D) Real estate and personal property taxes.**
 19 **(E) A Medicaid utilization incentive for providers that**
 20 **serve a higher percentage of Medicaid recipients than the**
 21 **average provider.**
 22 **(d) During the 2009 legislative interim, the commission shall**
 23 **study the impact of changing the system of Medicaid**
 24 **reimbursement for health facilities to a price based reimbursement**
 25 **system instead of a case mix reimbursement system.**
 26 **(e) This SECTION expires December 31, 2009.**
 27 SECTION 2. [EFFECTIVE UPON PASSAGE] **(a) As used in this**
 28 **SECTION, "health facility" refers to a health facility that is**
 29 **licensed under IC 16-28 as a comprehensive care facility.**
 30 **(b) As used in this SECTION, "health facility quality assessment**
 31 **fee" refers to the quality assessment collected by the office under**
 32 **P.L.3-2007, SEC. 1.**
 33 **(c) As used in this SECTION, "nursing facility" means a health**
 34 **facility that is certified for participation in the federal Medicaid**
 35 **program under Title XIX of the federal Social Security Act (42**
 36 **U.S.C. 1396 et seq.).**
 37 **(d) As used in this SECTION, "office" refers to the office of**
 38 **Medicaid policy and planning established by IC 12-8-6-1.**

1 **(e) The office shall collect a health facility quality assessment fee**
2 **from a health facility or a nursing facility that is required to pay**
3 **the assessment at the maximum percentage allowed under federal**
4 **Medicaid law.**

5 **(f) The office shall apply for any approval necessary from the**
6 **federal Department of Health and Human Services necessary to**
7 **implement this SECTION. If approval from the federal**
8 **Department of Health and Human Services is not necessary, the**
9 **office shall implement the maximum health facility quality**
10 **assessment fee not later than thirty (30) days after the passage of**
11 **this act.**

12 **(g) If the office receives approval under subsection (f), the office**
13 **shall file an affidavit with the governor attesting that the approval**
14 **applied for under this SECTION is in effect. The office shall file the**
15 **affidavit under this subsection not later than five (5) days after the**
16 **office is notified of the approval.**

17 **(h) If the office receives approval under subsection (f) and the**
18 **governor receives the affidavit filed under subsection (g), the office**
19 **shall implement the approved health facility quality assessment fee**
20 **not more than sixty (60) days after the governor receives the**
21 **affidavit.**

22 **(i) The office may adopt rules under IC 4-22-2 necessary to**
23 **implement this SECTION.**

24 **(j) This SECTION expires August 1, 2013.**

25 **SECTION 3. An emergency is declared for this act.**

(Reference is to HB 1470 as introduced.)

and when so amended that said bill do pass.

Representative Crawford