

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 460, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, line 17, after "secretary" insert "**or the office of the**
- 2 **secretary's designee**".
- 3 Page 2, line 1, after "secretary" insert "**or the office of the**
- 4 **secretary's designee**".
- 5 Page 2, line 4, after "secretary" insert "**or the office of the**
- 6 **secretary's designee**".
- 7 Page 2, line 13, strike "sixty (60)" and insert "**three hundred**
- 8 **(300)**".
- 9 Page 2, line 14, delete "secretary," and insert "**secretary or the**
- 10 **office of the secretary's designee,**".
- 11 Page 2, line 19, strike "sixty (60)" and insert "**three hundred**
- 12 **(300)**".
- 13 Page 2, line 20, delete "." and insert "**or the office of the**
- 14 **secretary's designee.**".
- 15 Page 2, line 27, after "secretary" insert "**or the office of the**
- 16 **secretary's designee**".
- 17 Page 2, line 29, after "secretary" insert "**or the office of the**
- 18 **secretary's designee**".
- 19 Page 2, line 31, after "secretary" insert "**or the office of the**
- 20 **secretary's designee**".
- 21 Page 3, line 14, delete "secretary." and insert "**secretary or the**

1 **office of the secretary's designee."**

2 Page 3, line 16, after "secretary" insert "**or the secretary's**
3 **designee**".

4 Page 3, line 27, after "secretary" insert "**or the office of the**
5 **secretary's designee**".

6 Page 3, line 28, after "secretary" insert "**or the office of the**
7 **secretary's designee**".

8 Page 3, line 32, after "secretary" insert "**or the office of the**
9 **secretary's designee**".

10 Page 3, line 34, delete "Following consideration of an institutional
11 provider's" and insert "**Finalize the audit findings and issue the**
12 **preliminary recalculated Medicaid rate**."

13 **(c) An institutional provider that receives a preliminary**
14 **recalculated Medicaid rate under subsection (b)(2) may request**
15 **administrative reconsideration of the preliminary recalculated**
16 **Medicaid rate not later than forty-five (45) days after the issuance**
17 **of the preliminary recalculated rate. The institutional provider**
18 **must request administrative reconsideration before filing an**
19 **appeal.**

20 **(d) Following reconsideration of an institutional provider's**
21 **comments, the office of the secretary or the office of the secretary's**
22 **designee shall notify the institutional provider in writing that the**
23 **office of the secretary or the office of the secretary's designee:**

24 **(1) believes that the overpayment has occurred; and**

25 **(2) is issuing a final recalculated Medicaid rate.**

26 **(e) Upon the next payment cycle, the office of the secretary or**
27 **the office of the secretary's designee shall retroactively implement**
28 **the final recalculated Medicaid rate."**

29 Page 3, delete lines 35 through 42.

30 Page 4, delete lines 1 through 3.

31 Page 4, line 4, delete "(d)" and insert "(f)".

32 Page 4, line 4, delete "office of".

33 Page 4, line 5, delete "the secretary's".

34 Page 4, line 5, delete "response," and insert "**response issued by the**
35 **office of the secretary or the office of the secretary's designee,**".

36 Page 4, line 6, delete "hearing." and insert "**hearing by filing an**
37 **appeal with the office of the secretary not later than sixty (60) days**
38 **after the issuance of the reconsideration response.**".

39 Page 4, line 7, delete "(e)" and insert "(g)".

40 Page 4, line 8, delete "(d)" and insert "(f)".

41 Page 4, line 8, after "office" insert "**or the office's designee**".

42 Page 4, line 10, after "secretary" insert "**or the office of the**

- 1 **secretary's designee".**
- 2 Page 4, line 11, after "secretary" insert "**or the office of the**
- 3 **secretary's designee".**
- 4 Page 4, line 18, delete "(f)" and insert "**(h)**".
- 5 Page 4, line 24, delete "(g)" and insert "**(i)**".
- 6 Page 4, line 25, after "secretary" insert "**or the office of the**
- 7 **secretary's designee".**
- 8 Page 4, line 30, delete "(h)" and insert "**(j)**".
- 9 Page 4, line 31, after "secretary" insert "**or the office of the**
- 10 **secretary's designee".**
- 11 Page 11, line 42, after "16." insert "**Comprehensive Care**".
- 12 Page 12, line 1, after "1." insert "**(a)**".
- 13 Page 12, line 2, delete "health facility," and insert "**comprehensive**
- 14 **care health facility,"**.
- 15 Page 12, delete lines 5 through 6.
- 16 Page 12, line 7, delete "(C) has" and insert "**(B) either:**
- 17 **(i) has**".
- 18 Page 12, line 8, delete "and" and insert "**or**
- 19 **(ii) is seeking only to license a bed that has been obtained**
- 20 **through purchase or agreement from an existing licensed**
- 21 **comprehensive care health facility; and**".
- 22 Page 12, line 9, delete "(D)" and insert "(C)".
- 23 Page 12, delete lines 11 through 13.
- 24 Page 12, line 14, delete "(3)" and insert "**(2)**".
- 25 Page 12, line 14, after "A" insert "**comprehensive care**".
- 26 Page 12, line 14, delete "does" and insert "**is transferring or**
- 27 **relocating an existing comprehensive care health facility.**".
- 28 Page 12, delete lines 15 through 20.
- 29 Page 12, line 21, delete "(4)" and insert "**(3)**".
- 30 Page 12, line 24, after "a" insert "**comprehensive care**".
- 31 Page 12, line 24, delete "(1)(C)." and insert "**(1)(B).**".
- 32 Page 12, between lines 24 and 25, begin a new paragraph and insert:
- 33 "**(b) If a replacement bed license is being transferred as**
- 34 **described in subsection (a) to a different comprehensive care health**
- 35 **facility with the same ownership, the comprehensive care health**
- 36 **facility holding the comprehensive care bed license shall provide**
- 37 **the state department with written verification that the health**
- 38 **facility has agreed to transfer the beds to the applicant health**
- 39 **facility.**
- 40 **(c) If a replacement bed license is being transferred as described**
- 41 **in subsection (a) to a different comprehensive care health facility**
- 42 **under different ownership, the comprehensive care health facility**

1 transferring the bed license shall provide the state department with
 2 a copy of the complete agreement between the comprehensive care
 3 health facility transferring the beds and the applicant
 4 comprehensive care health facility.

5 (d) Except in the case of an emergency or a disaster, licensure
 6 of an existing comprehensive care bed may not be transferred to a
 7 new location until the new facility is seeking licensure of the bed."

8 Page 12, line 26, after "self-contained" insert "**comprehensive**
 9 **care**".

10 Page 13, line 6, after "new" insert "**comprehensive care**".

11 Page 13, line 8, before "health" insert "**comprehensive care**".

12 Page 14, line 3, after "house" insert "**comprehensive care**".

13 Page 15, line 3, delete "the following:" and insert "**a comprehensive**
 14 **care health facility that:**

15 (1) seeks a replacement bed exception;

16 (2) is licensed or is to be licensed under this article;

17 (3)".

18 Page 15, delete lines 4 through 5.

19 Page 15, line 6, delete "(B)".

20 Page 15, run in lines 3 through 6.

21 Page 15, line 10, delete "bed in the same facility;" and insert "**bed;**".

22 Page 15, line 12, delete "(C)", begin a new line block indented and
 23 insert:

24 "(4)".

25 Page 15, delete lines 13 through 25, begin a new line double block
 26 indented and insert:

27 "(A) described in subsection (c); and

28 (B) prescribed by the division; and

29 (5) meets the licensure, survey, and certification requirements
 30 of this article."

31 Page 15, line 31, after "(2)" insert "**If the replacement bed is being**
 32 **transferred to a different comprehensive care health facility with**
 33 **the same ownership, provide the division of aging with written**
 34 **verification from the health facility holding the comprehensive care**
 35 **bed certification that the health facility has agreed to transfer the**
 36 **beds to the applicant health facility.**

37 (3) **If the replacement bed is being transferred to a different**
 38 **comprehensive care health facility under different ownership,**
 39 **provide the division of aging with a copy of the complete**
 40 **agreement between the comprehensive care health facility**
 41 **transferring the beds and the applicant comprehensive care**
 42 **health facility.**

1 **(4)**".

2 Page 15, line 33, after "5." insert "**Except in the case of an**
3 **emergency or a disaster, Medicaid certification of an existing**
4 **comprehensive care bed may not be transferred to a new location**
5 **until the new facility is seeking certification of the bed.**

6 **Sec. 6.**"

(Reference is to SB 460 as introduced.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 7, Nays 0.

Senator Miller, Chairperson