

Bill No. CS for CS for SB 2242, 1st Eng.

Amendment No. ____

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Saunders moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 15, line 4, through		
15	page 16, line 24, delete those lines		
16			
17	and insert:		
18	Section 8. Paragraph (a) of subsection (1), paragraph		
19	(b) of subsection (2), and paragraph (c) of subsection (13) of		
20	section 409.908, Florida Statutes, are amended to read:		
21	409.908 Reimbursement of Medicaid providers.--Subject		
22	to specific appropriations, the agency shall reimburse		
23	Medicaid providers, in accordance with state and federal law,		
24	according to methodologies set forth in the rules of the		
25	agency and in policy manuals and handbooks incorporated by		
26	reference therein. These methodologies may include fee		
27	schedules, reimbursement methods based on cost reporting,		
28	negotiated fees, competitive bidding pursuant to s. 287.057,		
29	and other mechanisms the agency considers efficient and		
30	effective for purchasing services or goods on behalf of		
31	recipients. Payment for Medicaid compensable services made on		

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1 behalf of Medicaid eligible persons is subject to the
2 availability of moneys and any limitations or directions
3 provided for in the General Appropriations Act or chapter 216.
4 Further, nothing in this section shall be construed to prevent
5 or limit the agency from adjusting fees, reimbursement rates,
6 lengths of stay, number of visits, or number of services, or
7 making any other adjustments necessary to comply with the
8 availability of moneys and any limitations or directions
9 provided for in the General Appropriations Act, provided the
10 adjustment is consistent with legislative intent.

11 (1) Reimbursement to hospitals licensed under part I
12 of chapter 395 must be made prospectively or on the basis of
13 negotiation.

14 (a) Reimbursement for inpatient care is limited as
15 provided for in s. 409.905(5). Reimbursement for hospital
16 outpatient care is limited to \$1,500~~\$1,000~~ per state fiscal
17 year per recipient, except for:

18 1. Such care provided to a Medicaid recipient under
19 age 21, in which case the only limitation is medical
20 necessity;

21 2. Renal dialysis services; and

22 3. Other exceptions made by the agency.

23 (2)

24 (b) Subject to any limitations or directions provided
25 for in the General Appropriations Act, the agency shall
26 establish and implement a Florida Title XIX Long-Term Care
27 Reimbursement Plan (Medicaid) for nursing home care in order
28 to provide care and services in conformance with the
29 applicable state and federal laws, rules, regulations, and
30 quality and safety standards and to ensure that individuals
31 eligible for medical assistance have reasonable geographic

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1 access to such care. Under the plan, interim rate adjustments
2 shall not be granted to reflect increases in the cost of
3 general or professional liability insurance for nursing homes
4 unless the following criteria are met: have at least a 65
5 percent Medicaid utilization in the most recent cost report
6 submitted to the agency, and the increase in general or
7 professional liability costs to the facility for the most
8 recent policy period affects the total Medicaid per diem by at
9 least 5 percent. This rate adjustment shall not result in the
10 per diem exceeding the class ceiling. This provision shall
11 apply only to fiscal year 2000-2001 and shall be implemented
12 to the extent that existing appropriations are available. The
13 agency shall report to the Governor, the Speaker of the House
14 of Representatives, and the President of the Senate by
15 December 31, 2000, on the cost of liability insurance for
16 Florida nursing homes for fiscal years 1999 and 2000 and the
17 extent to which these costs are not being compensated by the
18 Medicaid program. Medicaid participating nursing homes shall
19 be required to report to the agency information necessary to
20 compile this report.Effective no earlier than the
21 rate-setting period beginning April 1, 1999, the agency shall
22 establish a case-mix reimbursement methodology for the rate of
23 payment for long-term care services for nursing home
24 residents. The agency shall compute a per diem rate for
25 Medicaid residents, adjusted for case mix, which is based on a
26 resident classification system that accounts for the relative
27 resource utilization by different types of residents and which
28 is based on level-of-care data and other appropriate data. The
29 case-mix methodology developed by the agency shall take into
30 account the medical, behavioral, and cognitive deficits of
31 residents. In developing the reimbursement methodology, the

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1 agency shall evaluate and modify other aspects of the
2 reimbursement plan as necessary to improve the overall
3 effectiveness of the plan with respect to the costs of patient
4 care, operating costs, and property costs. In the event
5 adequate data are not available, the agency is authorized to
6 adjust the patient's care component or the per diem rate to
7 more adequately cover the cost of services provided in the
8 patient's care component. The agency shall work with the
9 Department of Elderly Affairs, the Florida Health Care
10 Association, and the Florida Association of Homes for the
11 Aging in developing the methodology. It is the intent of the
12 Legislature that the reimbursement plan achieve the goal of
13 providing access to health care for nursing home residents who
14 require large amounts of care while encouraging diversion
15 services as an alternative to nursing home care for residents
16 who can be served within the community. The agency shall base
17 the establishment of any maximum rate of payment, whether
18 overall or component, on the available moneys as provided for
19 in the General Appropriations Act. The agency may base the
20 maximum rate of payment on the results of scientifically valid
21 analysis and conclusions derived from objective statistical
22 data pertinent to the particular maximum rate of payment.

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24

25 ===== T I T L E A M E N D M E N T =====

26 And the title is amended as follows:

27 On page 1, line 28, following the semicolon

28

29 insert:

30 prohibiting interim rate adjustments that

31 reflect increases in the cost of general or

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1 professional liability insurance;
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