

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	
5			ORIGINAL STAMP BELOW
6			
7			
8			
9			
10			

11 Representative(s) Kelly offered the following:

13 **Amendment (with title amendment)**

14 On page 11, line 27, through page 12, line 30,
15 remove: those lines

17 and insert in lieu thereof:

18 Section 8. Paragraph (a) of subsection (1) and
19 paragraph (b) of subsection (2) of section 409.908, Florida
20 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

Amendment No. ____ (for drafter's use only)

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

Amendment No. ____ (for drafter's use only)

1 access to such care. Effective no earlier than the
2 rate-setting period beginning April 1, 1999, the agency shall
3 establish a case-mix reimbursement methodology for the rate of
4 payment for long-term care services for nursing home
5 residents. The agency shall compute a per diem rate for
6 Medicaid residents, adjusted for case mix, which is based on a
7 resident classification system that accounts for the relative
8 resource utilization by different types of residents and which
9 is based on level-of-care data and other appropriate data. The
10 case-mix methodology developed by the agency shall take into
11 account the medical, behavioral, and cognitive deficits of
12 residents. In developing the reimbursement methodology, the
13 agency shall evaluate and modify other aspects of the
14 reimbursement plan as necessary to improve the overall
15 effectiveness of the plan with respect to the costs of patient
16 care, operating costs, and property costs. In the event
17 adequate data are not available, the agency is authorized to
18 adjust the patient's care component or the per diem rate to
19 more adequately cover the cost of services provided in the
20 patient's care component. The agency shall work with the
21 Department of Elderly Affairs, the Florida Health Care
22 Association, and the Florida Association of Homes for the
23 Aging in developing the methodology. It is the intent of the
24 Legislature that the reimbursement plan achieve the goal of
25 providing access to health care for nursing home residents who
26 require large amounts of care while encouraging diversion
27 services as an alternative to nursing home care for residents
28 who can be served within the community. The agency shall base
29 the establishment of any maximum rate of payment, whether
30 overall or component, on the available moneys as provided for
31 in the General Appropriations Act. The agency may base the

Amendment No. ____ (for drafter's use only)

1 maximum rate of payment on the results of scientifically valid
2 analysis and conclusions derived from objective statistical
3 data pertinent to the particular maximum rate of payment.

4

5

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

7 And the title is amended as follows:

8 On page 1, line 25, after the semicolon,

9

10 insert:

11 prohibiting interim rate adjustments that
12 reflect increases in the cost of general or
13 professional liability insurance;

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31