

Bill No. CS for CS for CS for SB 1202

Amendment No. Barcode 762432

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Senators Brown-Waite and Silver moved the following amendment:

Senate Amendment (with title amendment)

On page 114, between lines 24 and 25,

insert:

Section 54. Paragraph (b) of subsection (2) of section 409.908, Florida Statutes, is amended to read:

409.908 Reimbursement of Medicaid providers.--Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions

Bill No. CS for CS for CS for SB 1202

Amendment No. ____ Barcode 762432

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

9 (2)(b) Subject to any limitations or directions
10 provided for in the General Appropriations Act, the agency
11 shall establish and implement a Florida Title XIX Long-Term
12 Care Reimbursement Plan (Medicaid) for nursing home care in
13 order to provide care and services in conformance with the
14 applicable state and federal laws, rules, regulations, and
15 quality and safety standards and to ensure that individuals
16 eligible for medical assistance have reasonable geographic
17 access to such care. The agency shall not provide for any
18 increases in reimbursement rates to nursing homes associated
19 with changes in ownership. Under the plan, interim rate
20 adjustments shall not be granted to reflect increases in the
21 cost of general or professional liability insurance for
22 nursing homes unless the following criteria are met: have at
23 least a 65 percent Medicaid utilization in the most recent
24 cost report submitted to the agency, and the increase in
25 general or professional liability costs to the facility for
26 the most recent policy period affects the total Medicaid per
27 diem by at least 5 percent. This rate adjustment shall not
28 result in the per diem exceeding the class ceiling. This
29 provision shall apply only to fiscal year 2000-2001 and shall
30 be implemented to the extent existing appropriations are
31 available. The agency shall report to the Governor, the

Bill No. CS for CS for CS for SB 1202

Amendment No. ____ Barcode 762432

1 Speaker of the House of Representatives, and the President of
2 the Senate by December 31, 2000, on the cost of liability
3 insurance for Florida nursing homes for fiscal years 1999 and
4 2000 and the extent to which these costs are not being
5 compensated by the Medicaid program. Medicaid-participating
6 nursing homes shall be required to report to the agency
7 information necessary to compile this report. Effective no
8 earlier than the rate-setting period beginning April 1, 1999,
9 the agency shall establish a case-mix reimbursement
10 methodology for the rate of payment for long-term care
11 services for nursing home residents. The agency shall compute
12 a per diem rate for Medicaid residents, adjusted for case mix,
13 which is based on a resident classification system that
14 accounts for the relative resource utilization by different
15 types of residents and which is based on level-of-care data
16 and other appropriate data. The case-mix methodology developed
17 by the agency shall take into account the medical, behavioral,
18 and cognitive deficits of residents. In developing the
19 reimbursement methodology, the agency shall evaluate and
20 modify other aspects of the reimbursement plan as necessary to
21 improve the overall effectiveness of the plan with respect to
22 the costs of patient care, operating costs, and property
23 costs. In the event adequate data are not available, the
24 agency is authorized to adjust the patient's care component or
25 the per diem rate to more adequately cover the cost of
26 services provided in the patient's care component. The agency
27 shall work with the Department of Elderly Affairs, the Florida
28 Health Care Association, and the Florida Association of Homes
29 for the Aging in developing the methodology. It is the intent
30 of the Legislature that the reimbursement plan achieve the
31 goal of providing access to health care for nursing home

Bill No. CS for CS for CS for SB 1202

Amendment No. ____ Barcode 762432

1 residents who require large amounts of care while encouraging
2 diversion services as an alternative to nursing home care for
3 residents who can be served within the community. The agency
4 shall base the establishment of any maximum rate of payment,
5 whether overall or component, on the available moneys as
6 provided for in the General Appropriations Act. The agency may
7 base the maximum rate of payment on the results of
8 scientifically valid analysis and conclusions derived from
9 objective statistical data pertinent to the particular maximum
10 rate of payment.

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12 (Redesignate subsequent sections.)

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

16 And the title is amended as follows:

17 On page 9, line 17, after "penalties;"

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19 insert:

20 amending s. 409.908, F.S.; prohibiting nursing

21 home reimbursement rate increases associated

22 with changes in ownership;

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