

## HOUSE BILL NO. 749

INTRODUCED BY RIPLEY, KAUFMANN, MORGAN, JAYNE, MATTHEWS, WITT, R. BROWN

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING, IN BOTH FISCAL YEAR 2006 AND FISCAL YEAR 2007, THE UTILIZATION FEE ON NURSING FACILITY BED DAYS; PROVIDING AN APPROPRIATION; AMENDING SECTION 15-60-102, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 15-60-102, MCA, is amended to read:

**"15-60-102. (Temporary) Utilization fee for bed days in nursing facilities.** (1) A nursing facility in the state shall pay to the department a utilization fee for each bed day in the facility in the following amounts:

(a) in the amount of \$2.80, which must be applied to maintain the price-based average payment rate to nursing facilities at the fiscal year 2003 base amount;

(b) in fiscal year ~~2004~~ 2006, an additional amount of ~~\$1.70~~ \$4.25 to be used to increase the price-based average payment rate to nursing facilities above the fiscal year 2003 base as provided in 15-60-211; and

(c) beginning July 1, ~~2004~~ 2007 2006, an additional amount of ~~\$2.50~~ \$5.50 to be used to increase the price-based average payment rate to nursing facilities above the fiscal year 2003 base as provided in 15-60-211.

(2) The fees collected must be deposited as follows:

(a) the amounts collected as provided in subsection (1)(a), in the general fund; and

(b) the amounts collected as provided in subsections (1)(b) and (1)(c), in the account in the state special revenue fund as provided in 15-60-211.

(3) A nursing facility may not place a fee created in this section on a patient's bill. (Void on occurrence of contingency--sec. 18, Ch. 746, L. 1991--see chapter compiler's comment.)"

**NEW SECTION. Section 2. Appropriation.** (1) The following money is appropriated to the department of public health and human services from the account in the state special revenue fund provided in 15-60-211 to fund increases in medicaid payments to nursing facilities:

Fiscal Year 2006

State special revenue fund	\$3,500,000
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