



AN ACT INCREASING THE UTILIZATION FEE FOR NURSING FACILITIES TO INCREASE NURSING HOME REIMBURSEMENT RATES; PROVIDING A WAGE INCREASE FOR CERTAIN DIRECT CARE WORKERS; PROVIDING APPROPRIATIONS; AMENDING SECTIONS 15-60-102 AND 15-60-211, 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~~ 2017 base amount;

(b) in the amount of \$5.50 to be used to maintain the price-based average payment rate to nursing facilities at the fiscal year 2017 base amount as provided in 15-60-211;

~~(b)(c)~~ in fiscal year ~~2006~~ 2018, an additional amount of ~~\$4.25~~ \$3 to be used to increase the price-based average payment rate to nursing facilities above the fiscal year ~~2003~~ 2017 base as provided in 15-60-211; and

~~(c)(d)~~ beginning July 1, 2006 on and after July 1, 2018, an additional amount of ~~\$5.50~~ \$7 to be used to increase the price-based average payment rate to nursing facilities above the fiscal year ~~2003~~ 2017 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)~~ through (1)(d), 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.)"

Section 2. Section 15-60-211, MCA, is amended to read:

"15-60-211. State special revenue account. (1) There is a nursing facility utilization fee account in the state special revenue fund as provided in 17-2-102.

(2) (a) All money collected under 15-60-102(1)(b) ~~and (1)(c)~~ through (1)(d) must be deposited in this account.

(b) Money ~~in the account~~ collected under 15-60-102(1)(b) must be used by the department of public health and human services for the purpose of ~~increasing~~ maintaining the average price paid for medicaid nursing facility services ~~above~~ at the fiscal year ~~2003~~ 2017 level under the price-based reimbursement system used to establish medicaid payment rates to nursing homes.

(c) All money collected under 15-60-102(1)(c) and (1)(d) must be used by the department of public health and human services for the purpose of:

(i) increasing the average price paid for medicaid nursing facility services above the fiscal year 2017 level under the price-based reimbursement system used to establish medicaid payment rates to nursing homes; and

(ii) in each year of the biennium beginning July 1, 2017, providing a wage increase of 50 cents per hour to certified nursing assistants working in nursing facilities, provided in increments of 25 cents per hour every 6 months.

(3) Money remaining in this account at the end of a fiscal year may not be expended or transferred for any other purpose and is subject to appropriation by a subsequent legislature for purposes consistent with subsection (2)."

Section 3. Appropriation. (1) (a) There is appropriated from the special revenue account provided for in 15-60-211 to the department of public health and human services \$4,427,982 in fiscal year 2018 and \$10,331,958 in fiscal year 2019 to fund increases in medicaid payments to nursing facilities.

(b) Of the amount appropriated in subsection (1)(a), \$584,120 must be used in fiscal year 2018 and \$1,365,085 in fiscal year 2019 for the wage increase for certified nursing assistants provided for in 15-60-211(2)(c)(ii).

(2) (a) There is appropriated from the federal special revenue fund to the department of public health and human services \$8,391,884 in fiscal year 2018 and \$20,074,039 in fiscal year 2019 to fund increases in payments to nursing facilities.

(b) Of the amount appropriated in subsection (2)(a), \$1,103,112 must be used in fiscal year 2018 and \$2,577,968 in fiscal year 2019 for the wage increase for certified nursing assistants provided for in 15-60-211(2)(c)(ii).

Section 4. Effective date. [This act] is effective July 1, 2017.

- END -

I hereby certify that the within bill,
HB 0618, originated in the House.

Speaker of the House

Signed this _____ day
of _____, 2017.

Chief Clerk of the House

President of the Senate

Signed this _____ day
of _____, 2017.

HOUSE BILL NO. 618

INTRODUCED BY N. BALLANCE

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