65th Legislature

1	HOUSE BILL NO. 618
2	INTRODUCED BY N. BALLANCE
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE UTILIZATION FEE FOR NURSING FACILITIES
5	TO INCREASE NURSING HOME REIMBURSEMENT RATES; PROVIDING APPROPRIATIONS; AMENDING
6	SECTIONS 15-60-102 AND 15-60-211, MCA; AND PROVIDING AN EFFECTIVE DATE."
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8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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10	Section 1. Section 15-60-102, MCA, is amended to read:
11	"15-60-102. (Temporary) Utilization fee for bed days in nursing facilities. (1) A nursing facility in the
12	state shall pay to the department a utilization fee for each bed day in the facility in the following amounts:
13	(a) in the amount of $$2.80$ , which must be applied to maintain the price-based average payment rate to
14	nursing facilities at the fiscal year <del>2003</del> 2017 base amount;
15	(b) in the amount of \$5.50 to be used to maintain the price-based average payment rate to nursing
16	facilities at the fiscal year 2017 base amount as provided in 15-60-211;
17	<del>(b)</del> (c) in fiscal year <del>2006</del> <u>2018</u> , an additional amount of <del>\$4.25</del> <u>\$1.20</u> to be used to increase the
18	price-based average payment rate to nursing facilities above the fiscal year 2003 2017 base as provided in
19	15-60-211; and
20	<del>(c)<u>(</u>d)</del> <del>beginning July 1, 2006</del> <u>on and after July 1, 2018</u> , an additional amount of <del>\$5.50</del> <u>\$2.20</u> to be used
21	to increase the price-based average payment rate to nursing facilities above the fiscal year 2003 2017 base as
22	provided in 15-60-211.
23	(2) The fees collected must be deposited as follows:
24	(a) the amounts collected as provided in subsection (1)(a), in the general fund; and
25	(b) the amounts collected as provided in subsections (1)(b) and (1)(c) through (1)(d), in the account in
26	the state special revenue fund as provided in 15-60-211.
27	(3) A nursing facility may not place a fee created in this section on a patient's bill. (Void on occurrence
28	of contingencysec. 18, Ch. 746, L. 1991see chapter compiler's comment.)"
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30	Section 2. Section 15-60-211, MCA, is amended to read:

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"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.

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

5 (b) Money in the account <u>collected under 15-60-102(1)(b)</u> must be used by the department of public 6 health and human services for the purpose of increasing <u>maintaining</u> the average price paid for medicaid nursing 7 facility services above <u>at</u> the fiscal year <del>2003</del> <u>2017</u> level under the price-based reimbursement system used to 8 establish medicaid payment rates to nursing homes.

9 (c) All money collected under 15-60-102(1)(c) and (1)(d) must be used by the department of public 10 health and human services for the purpose of increasing the average price paid for medicaid nursing facility 11 services above the fiscal year 2017 level under the price-based reimbursement system used to establish 12 medicaid payment rates to nursing homes.

(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)."

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<u>NEW SECTION.</u> Section 3. Appropriation. (1) There is appropriated from the special revenue account
 provided for in 15-60-211 to the department of public health and human services \$1,788,492 in fiscal year 2018
 and \$3,278,902 in fiscal year 2019 to fund increases in medicaid payments to nursing facilities.

(2) There is appropriated from the federal special revenue fund to the department of public health and
human services \$3,389,539 in fiscal year 2018 and \$6,370,603 in fiscal year 2019 to fund increases in payments
to nursing facilities.

- END -

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24 <u>NEW SECTION.</u> Section 4. Effective date. [This act] is effective July 1, 2017.

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