

HOUSE No. 00183

The Commonwealth of Massachusetts

PRESENTED BY:

Ronald Mariano

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to nursing home audit disallowances..

PETITION OF:

NAME:

Ronald Mariano

DISTRICT/ADDRESS:

3rd Norfolk

HOUSE No. 00183

By Mr. Ronald Mariano of Quincy, petition (accompanied by bill, House, No. 00183) of Ronald Mariano relative to nursing home audit disallowances. Joint Committee on Elder Affairs.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 539 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to nursing home audit disallowances..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Section 7 of chapter 118G of the General Laws, as appearing in the 2006 Official Edition, is
- 2 hereby amended by inserting in line 31 following the words, "...costs incurred in that base year."
- 3 the following:—
- 4 In the event the division conducts or utilizes an audit of nursing facilities' base year costs for the
- 5 purpose of reducing rates below levels that would be in effect in the absence of the audit, the
- 6 division shall:—
- 7 (1) conduct a field audit of 50 per cent of total nursing facilities licensed in the base year in
- 8 accordance with specified, uniform criteria;

9 (2) inform each audited nursing facility in writing of its right to appeal to the division of
10 administrative law appeals each and every audit disallowance to which the nursing facility is
11 subject;

12 (3) delay implementing the audit until all appeals by nursing facilities have been completely
13 adjudicated by the division of administrative law appeals;

14 (4) delay implementing the audit until the division has conducted a public hearing the notice of
15 which describes with particularity the methodology, audit criteria and substantive standards
16 utilized in the audit and the impact of implementing the audit on quality care for nursing facility
17 residents; and

18 (5) not implement any audit disallowance that is not fully concluded in accordance with the
19 preceding subsections by one year after the conclusion of the base period.