

SECOND REGULAR SESSION

SENATE BILL NO. 1056

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CROWELL.

Read 1st time March 1, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

5308S.011

AN ACT

To repeal section 208.471, RSMo, and to enact in lieu thereof two new sections relating to MO HealthNet provider taxes.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 208.471, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 208.007 and 208.471, to read as
3 follows:

**208.007. Notwithstanding any other state law or rule to the
2 contrary, any funds generated by MO HealthNet federal reimbursement
3 allowances or provider taxes under sections 198.401 to 198.436, 208.431
4 to 208.437, 208.453 to 208.480, and 338.500 to 338.550 shall not be
5 construed to specifically obligate the state to reimburse such funds to
6 providers. Any amounts to be paid to those obligated to pay the taxes
7 shall be determined through the appropriation process by the general
8 assembly based on services rendered in the MO HealthNet program.**

208.471. 1. The department of social services shall make payments to
2 those hospitals which have a Medicaid provider agreement with the
3 department. Prior to June 30, 2002, the payment shall be in an annual,
4 aggregate statewide amount which is at least the same as that paid in fiscal year
5 1991-1992 pursuant to rules in effect on August 30, 1991, under the federally
6 approved state plan amendments.

7 2. [Beginning July 1, 2002, sections 208.453 to 208.480 shall expire one
8 hundred eighty days after the end of any state fiscal year in which the aggregate
9 federal reimbursement allowance (FRA) assessment on hospitals is more than
10 eighty-five percent of the sum of aggregate direct Medicaid payments, uninsured

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

11 add-on payments and enhanced graduate medical education payments, unless
12 during such one hundred eighty-day period, such payments or assessments are
13 adjusted prospectively by the director of the department of social services to
14 comply with the eighty-five percent test imposed by this subsection. Enhanced
15 graduate medical education payments shall not be included in the calculation
16 required by this subsection if the general assembly appropriates the state's share
17 of such payments from a source other than the federal reimbursement
18 allowance. For purposes of this section, direct Medicaid payments, uninsured
19 add-on payments and enhanced graduate medical education payments shall:

20 (1) Include direct Medicaid payments, uninsured add-on payments and
21 enhanced graduate medical education payments as defined in state regulations
22 as of July 1, 2000;

23 (2) Include payments that substantially replace or supplant the payments
24 described in subdivision (1) of this subsection;

25 (3) Include new payments that supplement the payments described in
26 subdivision (1) of this subsection; and

27 (4) Exclude payments and assessments of acute care hospitals with an
28 unsponsored care ratio of at least sixty-five percent that are licensed to operate
29 less than fifty inpatient beds in which the state's share of such payments are
30 made by certification.

31 3.] The division of medical services may provide an alternative
32 reimbursement for outpatient services. Other provisions of law to the contrary
33 notwithstanding, the payment limits imposed by subdivision (2) of subsection 1
34 of section 208.152 shall not apply to such alternative reimbursement for
35 outpatient services. Such alternative reimbursement may include enhanced
36 payments or grants to hospital-sponsored clinics serving low income uninsured
37 patients.

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