

SB0126S01 compared with SB0126

~~deleted text~~ shows text that was in SB0126 but was deleted in SB0126S01.

inserted text shows text that was not in SB0126 but was inserted into SB0126S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Steve Eliason proposes the following substitute bill:

HOSPITAL ASSESSMENT AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Evan J. Vickers

House Sponsor: Steve Eliason

LONG TITLE

General Description:

This bill amends the hospital provider assessment.

Highlighted Provisions:

This bill:

- ▶ amends factors that the Medicaid program incorporates into the accountable care organization payment rate structure; and
- ▶ extends the sunset for the hospital provider assessment.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

SB0126S01 compared with SB0126

AMENDS:

26-36d-205, as repealed and reenacted by Laws of Utah 2019, Chapter 455

26-36d-207, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 20

63I-1-226, as last amended by Laws of Utah 2022, Chapters 194, 206, 224, 253, 255, 347, and 451

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26-36d-205** is amended to read:

26-36d-205. Medicaid hospital adjustment under accountable care organization rates.

(1) To preserve and improve access to hospital services, the division shall ~~for accountable care organization rates effective on or after April 1, 2013,~~ incorporate into the accountable care organization rate structure calculation consistent with the certified actuarial rate range:

(1)(a) \$154,000,000 to be allocated toward the hospital inpatient directed payments for the Medicaid eligibility categories covered in Utah before January 1, 2019; and

(1)(b) an amount equal to the difference between payments made to hospitals by accountable care organizations for the Medicaid eligibility categories covered in Utah ~~before January 1, 2019~~, based on submitted encounter data and the maximum amount that could be paid for those services ~~[using Medicare payment principles]~~ to be used for directed payments to hospitals for inpatient and outpatient services.

(2)(a) To preserve and improve the quality of inpatient and outpatient hospital services authorized under Subsection (1)(b), the division shall amend its quality strategies required by 42 C.F.R. Sec. 438.340 to include quality measures selected from the CMS hospital quality improvement programs.

(b) To better address the unique needs of rural and specialty hospitals, the division may adopt different quality standards for rural and specialty hospitals.

(c) The division shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to adopt the selected quality measures and prescribe penalties for not meeting the quality standards that are established by the division by rule.

(d) The division shall apply the same quality measures and penalties under this

SB0126S01 compared with SB0126

Subsection (2) to new directed payments made to the University of Utah Hospital and Clinics.

Section 2. Section 26-36d-207 is amended to read:

26-36d-207. Hospital Provider Assessment Expendable Revenue Fund.

(1) There is created an expendable special revenue fund known as the "Hospital Provider Assessment Expendable Revenue Fund."

(2) The fund shall consist of:

(a) the assessments collected by the department under this chapter;

(b) any interest and penalties levied with the administration of this chapter; and

(c) any other funds received as donations for the fund and appropriations from other sources.

(3) Money in the fund shall be used:

(a) to support capitated rates consistent with Subsection 26-36d-203(1)(d) for accountable care organizations; ~~and~~

~~(b) and~~

(b) to implement the quality strategies described in Subsection 26-36d-205(2), except that the amount under this Subsection (3)(b) may not exceed \$211,300 in each fiscal year; and

(b) (c) to reimburse money collected by the division from a hospital through a mistake made under this chapter.

(4) (a) Subject to Subsection (4)(b), for the fiscal year beginning July 1, 2019, and ending July 1, 2020, any fund balance in excess of the amount necessary to pay for the costs described in Subsection (3) shall be deposited into the General Fund.

(b) Subsection (4)(a) applies only to funds that were appropriated by the Legislature from the General Fund to the fund and the interest and penalties deposited into the fund under Subsection (2)(b).

Section ~~2~~3. Section **63I-1-226** is amended to read:

63I-1-226. Repeal dates: Title 26 through 26B.

(1) Section 26-1-7.5, which creates the Utah Health Advisory Council, is repealed July 1, 2025.

(2) Section 26-1-40 is repealed July 1, 2022.

(3) Section 26-1-41 is repealed July 1, 2026.

(4) Section 26-1-43 is repealed December 31, 2025.

SB0126S01 compared with SB0126

- (5) Section 26-7-10 is repealed July 1, 2025.
- (6) Subsection 26-7-11(5), regarding reports to the Legislature, is repealed July 1, 2028.
- (7) Section 26-7-14 is repealed December 31, 2027.
- (8) Section 26-8a-603 is repealed July 1, 2027.
- (9) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July 1, 2025.
- (10) Subsection 26-10-6(5), which creates the Newborn Hearing Screening Committee, is repealed July 1, 2026.
- (11) Section 26-10b-106, which creates the Primary Care Grant Committee, is repealed July 1, 2025.
- (12) Subsection 26-15c-104(3), relating to a limitation on the number of microenterprise home kitchen permits that may be issued, is repealed July 1, 2022.
- (13) Subsection 26-18-2.6(9), which addresses reimbursement for dental hygienists, is repealed July 1, 2028.
- (14) Section 26-18-27 is repealed July 1, 2025.
- (15) Section 26-18-28 is repealed June 30, 2027.
- (16) Title 26, Chapter 18, Part 2, Drug Utilization Review Board, is repealed July 1, 2027.
- (17) Subsection 26-18-418(2), the language that states "and the Behavioral Health Crisis Response Commission created in Section 63C-18-202" is repealed July 1, 2023.
- (18) Section 26-33a-117 is repealed December 31, 2023.
- (19) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1, 2024.
- (20) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1, 2024.
- (21) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is repealed July 1, 2024.
- (22) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July 1, ~~2024~~ 2028.
- (23) Section 26-39-201, which creates the Residential Child Care Licensing Advisory Committee, is repealed July 1, 2024.

SB0126S01 compared with SB0126

(24) Section 26-39-405, Drinking water quality in child care centers, is repealed July 1, 2027.

(25) Section 26-40-104, which creates the Utah Children's Health Insurance Program Advisory Council, is repealed July 1, 2025.

(26) Section 26-50-202, which creates the Traumatic Brain Injury Advisory Committee, is repealed July 1, 2025.

(27) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund and Pediatric Neuro-Rehabilitation Fund, is repealed January 1, 2025.

(28) Title 26, Chapter 66, Early Childhood Utah Advisory Council, is repealed July 1, 2026.

(29) Title 26, Chapter 68, COVID-19 Vaccine Restrictions Act, is repealed July 1, 2024.

(30) Section 26-69-406 is repealed July 1, 2025.

(31) Subsection 26B-1-204(2)(i), related to the Residential Child Care Licensing Advisory Committee, is repealed July 1, 2024.

(32) Subsection 26B-1-204(2)(k), related to the Primary Care Grant Committee, is repealed July 1, 2025.