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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 695 Session of  
2019

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INTRODUCED BY BROOKS, MAY 31, 2019

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REFERRED TO HEALTH AND HUMAN SERVICES, MAY 31, 2019

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AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An  
2 act to consolidate, editorially revise, and codify the public  
3 welfare laws of the Commonwealth," in public assistance,  
4 further providing for medical assistance payments for  
5 institutional care; in nursing facility assessments, further  
6 providing for time periods; in intermediate care facilities  
7 for persons with an intellectual disability assessments,  
8 further providing for time periods; and, in hospital  
9 assessments, further providing for time period.

10 The General Assembly of the Commonwealth of Pennsylvania  
11 hereby enacts as follows:

12 Section 1. Sections 443.1(7)(iv), 815-A, 811-C(b) and 808-  
13 E(a) of the act of June 13, 1967 (P.L.31, No.21), known as the  
14 Human Services Code, are amended to read:

15 Section 443.1. Medical Assistance Payments for Institutional  
16 Care.--The following medical assistance payments shall be made  
17 on behalf of eligible persons whose institutional care is  
18 prescribed by physicians:

19 \* \* \*

20 (7) After June 30, 2007, payments to county and nonpublic  
21 nursing facilities enrolled in the medical assistance program as  
22 providers of nursing facility services shall be determined in

1 accordance with the methodologies for establishing payment rates  
2 for county and nonpublic nursing facilities specified in the  
3 department's regulations and the Commonwealth's approved Title  
4 XIX State Plan for nursing facility services in effect after  
5 June 30, 2007. The following shall apply:

6 \* \* \*

7 (iv) Subject to Federal approval of such amendments as may  
8 be necessary to the Commonwealth's approved Title XIX State  
9 Plan, for each fiscal year beginning on or after July 1, 2011,  
10 the department shall apply a revenue adjustment neutrality  
11 factor to county and nonpublic nursing facility payment rates so  
12 that the estimated Statewide day-weighted average payment rate  
13 in effect for that fiscal year is limited to the amount  
14 permitted by the funds appropriated by the General Appropriation  
15 Act for the fiscal year. The revenue adjustment neutrality  
16 factor shall remain in effect until the sooner of June 30,  
17 [2019] 2022, or the date on which a new rate-setting methodology  
18 for medical assistance nursing facility services which replaces  
19 the rate-setting methodology codified in 55 Pa. Code Chs. 1187  
20 (relating to nursing facility services) and 1189 (relating to  
21 county nursing facility services) takes effect.

22 \* \* \*

23 Section 815-A. Time periods.--The assessment authorized in  
24 this article shall not be imposed prior to July 1, 2003, or  
25 after June 30, [2012] 2022.

26 Section 811-C. Time periods.

27 \* \* \*

28 (b) Cessation.--The assessment authorized under this article  
29 shall cease June 30, [2019] 2022, or earlier, if required by  
30 law.

1 Section 808-E. Time period.

2 (a) Cessation.--The assessment authorized under this article  
3 shall cease June 30, [2019] 2022.

4 \* \* \*

5 Section 2. This act shall take effect immediately.