

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

March 21, 2023  
Date

Committee on Public & Behavioral Health & Human Services.

After consideration on the merits, the Committee recommends the following:

HB23-1228 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 2, line 4, strike "and (15)" and substitute "(15),  
2 and (16)".
- 3 Page 3, line 1, strike "- **rules.**" and substitute "- **rules - repeal.**".
- 4 Page 3, line 15, strike "2023," and substitute "2024,".
- 5 Page 3, strike lines 16 through 19 and substitute "PAYMENT MUST NOT BE  
6 LESS THAN TWELVE PERCENT OF TOTAL PROVIDER FEE PAYMENTS AND  
7 MUST BE ADJUSTED FOR FISCAL YEARS 2024-25 AND 2025-26. NO LATER  
8 THAN JULY 1, 2026, THE PAYMENT MUST NOT BE LESS THAN FIFTEEN  
9 PERCENT OF TOTAL PROVIDER FEE PAYMENTS AND MUST BE ANNUALLY  
10 ADJUSTED THEREAFTER. During each state fiscal year, the".
- 11 Page 9, after line 16 insert:
  - 12 "(15) (a) EACH NURSING FACILITY THAT RECEIVES MEDICAID  
13 FUNDS SHALL DEVELOP AND SUBMIT A PLAN TO THE STATE DEPARTMENT  
14 THAT MEETS STATE DEPARTMENT STANDARDS AND DEMONSTRATES HOW  
15 THE NURSING FACILITY WILL:
    - 16 (I) IMPROVE THE HEALTH AND SAFETY OF THE NURSING FACILITY'S  
17 RESIDENTS, INCLUDING INFECTION CONTROL AND STAFFING;
    - 18 (II) INCREASE ACCESS TO CARE;
    - 19 (III) IMPROVE FINANCIAL SUSTAINABILITY, INCLUDING  
20 OPPORTUNITIES FOR DIVERSIFICATION OF BUSINESS LINES AND  
21 STABILIZATION OF REVENUE STREAMS; AND
    - 22 (IV) PROMOTE INNOVATION TO MEET THE EMERGING NEEDS OF  
23 INDIVIDUALS WITH DISABILITIES AND AGING AND OLDER ADULTS.

1 (b) THE STATE BOARD SHALL PROMULGATE RULES IMPLEMENTING  
2 THIS SUBSECTION (15).".

3 Renumber succeeding subsection accordingly.

4 Page 9, line 18, strike "(15)" and substitute "(16)".

5 Page 10, after line 12 insert:

6 "(II) NO LATER THAN JULY 1, 2026, THE STATE DEPARTMENT  
7 SHALL PROMULGATE RULES MAINTAINING THE EXEMPTIONS IDENTIFIED IN  
8 THIS SUBSECTION (1)(c) IN ORDER TO MINIMIZE THE FINANCIAL IMPACT ON  
9 NURSING FACILITY PROVIDERS.".

10 Renumber succeeding subparagraph accordingly.

11 Page 10, line 13, strike "2026." and substitute "2028.".

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