

SECOND REGULAR SESSION

# HOUSE BILL NO. 3360

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE KIMBLE.

7042H.011

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To repeal section 208.159, RSMo, and to enact in lieu thereof one new section relating to MO HealthNet payments for nursing home services.

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

Section A. Section 208.159, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 208.159, to read as follows:

208.159. 1. Notwithstanding the provisions of sections 207.010, 208.152, and 208.153, the department of social services shall administer payments for nursing home services authorized in sections 208.151, et seq., which govern medical assistance under Title XIX, Public Law 89-97, 1965 amendments to the Federal Social Security Act (42 U.S.C. 301 et seq.), as amended, and shall administer vendor payments for the aged and direct adult services for the aged under Title XX, Public Law 93-647, 1974 amendments to the Federal Social Security Act (42 U.S.C. 1397 et seq.), as amended. The department shall, pursuant to chapter 536, promulgate rules and regulations for the purpose of administering such payments, including rules to define the reasonable costs, manner, extent, quality, charges and fees or payments for nursing home services.

2. **The department of social services shall apply to the Centers for Medicare and Medicaid Services of the federal Department of Health and Human Services for a waiver or state plan amendment to implement a patient-driven payment model for MO HealthNet payments for nursing home services provided by facilities that:**

(1) **Calculates payments for the following patient care services based on patients' clinical characteristics rather than the volume of services provided:**

(a) **Physical therapy;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

- 18           **(b) Occupational therapy;**
- 19           **(c) Speech-language pathology services; and**
- 20           **(d) Nontherapy ancillary services;**
- 21           **(2) Incorporates per diem add-on payments to improve the quality of care**
- 22 **delivered by facilities including, but not limited to:**
- 23           **(a) Incentive payments determined by facility performance on quality measures**
- 24 **specified by the department; and**
- 25           **(b) Payments based on the tenure, promotion, and training of certified nursing**
- 26 **assistants. Facilities shall use payments made under this paragraph to increase**
- 27 **compensation for certified nursing assistants; and**
- 28           **(3) Eliminates the mental illness diagnosis add-on approved by a previous state**
- 29 **plan amendment in which a facility receives a per diem adjustment if at least forty**
- 30 **percent of the facility's Medicaid participants have a diagnosis of schizophrenia or**
- 31 **bipolar disorder.**

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