

# SENATE BILL 923

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8lr1487

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By: **Senator Hershey**

Introduced and read first time: February 5, 2018

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland All-Payer Model Agreement – Medicare Skilled Nursing Facility**  
3 **3-Day Rule – Waiver**

4 FOR the purpose of requiring, on or before a certain date, the Maryland Department of  
5 Health to request approval from the Center for Medicare and Medicaid Innovation  
6 of a waiver of the Medicare Skilled Nursing Facility 3-Day Rule and its applicability  
7 to Medicare beneficiaries in the State; requiring that the request be included in a  
8 request by the Department for updates to and an extension of the Maryland  
9 All-Payer Model Agreement submitted to the Center for Medicare and Medicaid  
10 Innovation under certain provisions of federal law; requiring the Department to  
11 report to the Governor and the General Assembly on the status of the request on or  
12 before a certain date; and generally relating to the Medicare Skilled Nursing Facility  
13 3-Day Rule.

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
15 That:

16 (a) (1) In this section the following words have the meanings indicated.

17 (2) “Medicare Skilled Nursing Facility 3-Day Rule” means the  
18 requirement under § 1861 of the Social Security Act that a Medicare beneficiary have a  
19 prior inpatient hospital stay of not fewer than 3 consecutive days to be eligible for Medicare  
20 coverage of inpatient skilled nursing facility care.

21 (3) “Skilled nursing facility” has the meaning stated in § 1819(a) of the  
22 Social Security Act.

23 (b) (1) On or before September 1, 2018, the Maryland Department of Health  
24 shall request approval from the Center for Medicare and Medicaid Innovation of a waiver  
25 of the Medicare Skilled Nursing Facility 3-Day Rule and its applicability to Medicare  
26 beneficiaries in the State.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2)     The request for approval of a waiver of the Medicare Skilled Nursing  
2 Facility 3–Day Rule under paragraph (1) of this subsection shall be included in a request  
3 by the Department for updates to and an extension of the Maryland All–Payer Model  
4 Agreement submitted to the Center for Medicare and Medicaid Innovation under § 1115A  
5 of the Social Security Act.

6           (c)     On or before December 31, 2018, the Department shall report to the Governor  
7 and, in accordance with § 2–1246 of the State Government Article, the General Assembly  
8 on the status of the request for approval a waiver of the Medicare Skilled Nursing Facility  
9 3–Day Rule made under subsection (b) of this section.

10           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
11 1, 2018.