

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 577

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “specifying” in line 3 down through “center” in line 5 and substitute “requiring the Department of Health and Mental Hygiene, in consultation with the Federally Qualified Health Centers, to establish in regulation as a prospective rate the reasonable cost to a federally qualified health center in providing services to enrollees”; in line 9, strike “at certain times”; in line 10, after “center;” insert “establishing the effective date for certain adjustments; requiring the Department, in consultation with certain other groups, to undertake a certain study and submit a certain report to certain persons by a certain date; making certain provisions of this Act subject to a certain contingency;”.

AMENDMENT NO. 2

On page 1, in line 24, after “and” insert “, AS DETERMINED IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION,”; and strike beginning with “DETERMINED” in line 24 down through “SUBSECTION” in line 25.

On page 2, strike in their entirety lines 1 through 8, inclusive; in line 9, strike “(IV)” and substitute “(II)”; in line 11, after “CALCULATING” insert “: 1.”; in line 12, after “ENROLLEES” insert “; AND”

2. THE DIFFERENCE BETWEEN THE PAYMENT RECEIVED BY THE CENTER FROM A MANAGED CARE ORGANIZATION AND THE REASONABLE COST TO THE CENTER IN PROVIDING THE SERVICES”;

in line 20, after “REQUEST” insert “AT ANY TIME”; strike beginning with the colon in line 22 down through “CENTER” in line 26; after line 26, insert:

“(III) THE EFFECTIVE DATE FOR ADJUSTMENTS MADE IN

(Over)

RESPONSE TO A REQUEST BY A FEDERALLY QUALIFIED HEALTH CENTER SHALL BE:  
1. THE DATE THE DEPARTMENT RECEIVES THE  
REQUEST; OR

2. IF THE REQUEST IS PROMPTED BY A CHANGE IN THE  
REIMBURSEMENT PRACTICES OF A MEDICAID MANAGED CARE ORGANIZATION,  
THE DATE THE MANAGED CARE ORGANIZATION CHANGED ITS REIMBURSEMENT TO  
THE CENTER, EXCEPT THAT AN ADJUSTMENT UNDER THIS ITEM MAY NOT BE  
RETROACTIVE MORE THAN 120 DAYS.”;

in line 27, strike “(III)” and substitute “(IV)”;

in line 28, after “cost” insert “, AS”;

and in line 31, strike “(1) and (2)” and substitute “(1), (2), and (3)”.

AMENDMENT NO. 3

On page 2, in line 39, after “2004.” insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as  
follows:

Article - Health - General

15-103.

(e) (2) The reasonable cost to a federally qualified health center in providing services  
to enrollees shall be [determined in accordance with § 1902(a)(13)(C)(i) of the Social Security Act,  
as amended by the Balanced Budget Act of 1997, and any applicable regulations] A PROSPECTIVE  
RATE THAT THE DEPARTMENT, IN CONSULTATION WITH FEDERALLY QUALIFIED  
HEALTH CENTERS, ESTABLISHES BY REGULATION.

SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Health and  
Mental Hygiene, in consultation with federally qualified health centers, shall adopt regulations that  
establish as a prospective rate the reasonable cost to a federally qualified health center in providing  
services to enrollees of the State Medical Assistance Program.”.

AMENDMENT NO. 4

On page 2, after line 39, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the Department of Health and

Mental Hygiene, in consultation with the Mid-Atlantic Association of Community Health Centers and the Medicaid managed care organizations, shall:

(a) Study alternative means for improving the viability of federally qualified health centers serving clients in the HealthChoice Program; and

(b) On or before January 1, 2000, submit a report on its findings to the Governor and, subject to § 2-1246 of the State Government Article, the Senate Finance Committee and the House Environmental Matters Committee.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 1999, contingent on the taking effect of regulations as provided under Section 3 of this Act. Within 5 days after final adoption of the regulations under Section 3 of this Act, the Department of Health and Mental Hygiene shall certify in writing to the Department of Legislative Services the date on which the regulations take effect.”.

On page 3, in line 1, strike “2.” and substitute “6.”; in the same line, strike “That” and substitute “That, subject to Section 5 of this Act,”.