

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL NO. 68

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “repealing” and substitute “altering”; in line 6, after the semicolon, insert “providing that certain funds shall not revert to the General Fund and shall remain available for a certain purpose; requiring that a certain process start at the end of the 1999 fiscal year;”.

AMENDMENT NO. 2

On page 1, after line 20, insert:

“(B) FUNDS RECEIVED FOR SERVICES THAT ARE FEE-FOR-SERVICE OR THAT HAVE RATES SET BY REGULATION SHALL BE SUBJECT TO RECOVERY BY THE ADMINISTRATION ONLY FOR THE FOLLOWING PURPOSES:

(1) CLIENT ATTENDANCE;

(2) CLIENT FEES; OR

(3) SANCTIONS ALLOWED THROUGH REGULATIONS.”;

in line 21, strike “(b) [(1)]” and substitute “(C) (1)”.

On page 2, in line 1, strike the bracket; in line 2, after “subsection” insert “EXCEPT FOR RATES SET IN REGULATION”; in lines 8, 20, and 28, strike “(c)”, “(d)”, and “(e)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively; in line 7, strike the bracket; and in line 22, strike “prospective” and substitute “FEE”.

AMENDMENT NO. 3

(Over)

On page 3, in lines 3 and 6, strike “(f)” and “(g)”, respectively, and substitute “(G)” and “(H)”, respectively; in line 11, strike “and”; in line 14, strike the period and substitute a semicolon; after line 14, insert:

“(4) WITHIN 1 YEAR AFTER RECEIPT OF THE REPORT SHALL RECONCILE A PRIVATE PROVIDER’S YEAR-END REPORT AND SHALL PROVIDE WRITTEN APPROVAL OF A YEAR-END REPORT OR A WRITTEN EXPLANATION OF THE ITEMS IN DISPUTE; AND

(5) SHALL INITIATE AN AUDIT OF EACH PRIVATE PROVIDER EVERY 4 YEARS.

(I) THE ADMINISTRATION SHALL ACCEPT AS FINAL THE PRIVATE PROVIDER’S YEAR-END REPORT IF:

(1) THE ADMINISTRATION FAILS TO PROVIDE WRITTEN APPROVAL OR A WRITTEN EXPLANATION OF THE ITEMS IN DISPUTE WITHIN 1 YEAR AFTER RECEIVING THE REPORT; OR

(2) THE ADMINISTRATION FAILS TO RECONCILE THE YEAR-END REPORT WITHIN 1 YEAR AFTER RECEIVING THE REPORT.

(J) IF THE ADMINISTRATION FAILS TO INITIATE AN AUDIT OF A PRIVATE PROVIDER AS REQUIRED IN SUBSECTION (H) (5) OF THIS SECTION, THE ADMINISTRATION MAY NOT AUDIT THE PRIVATE PROVIDER FOR ANY FISCAL YEAR THAT BEGAN MORE THAN 48 MONTHS BEFORE THE ADMINISTRATION’S NOTIFICATION OF AUDIT, UNLESS THE ADMINISTRATION SUSPECTS FRAUD OR MISAPPROPRIATION OF FUNDS.

(K) PRIVATE PROVIDERS SHALL PROVIDE THE YEAR-END REPORT TO THE ADMINISTRATION NO LATER THAN 6 MONTHS AFTER THE END OF THE STATE FISCAL YEAR.

SECTION 2. AND BE IT FURTHER ENACTED, That notwithstanding any other provision

of law, for fiscal year 2000, general funds appropriated in connection with the Waiting List Initiative within the Developmental Disabilities Administration of the Department of Health and Mental Hygiene that remain unexpended at the end of the fiscal year shall not revert to the General Fund and shall remain available for expenditure on the Waiting List Initiative in the subsequent fiscal year.

SECTION 3. AND BE IT FURTHER ENACTED, That the process established by this Act for the Developmental Disabilities Administration review of private provider submitted year-end reports, begin with the reports required at the end of the 1999 fiscal year.”;

in line 15, strike “2.” and substitute “4.”; and in line 16, strike “October” and substitute “July”.