

SB0633/546085/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 633

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “develop” in line 5 down through “providers” in line 7 and substitute “determine a weighted average cost structure of certain developmental disabilities service providers and community mental health services providers in a certain manner”; in line 8, strike “update formula” and substitute “annual inflationary cost adjustment”; in line 11, strike “using a certain update formula”; in line 12, after “year;” insert “requiring the Department to ensure that a certain annual inflationary cost adjustment is equivalent to certain other annual inflationary cost adjustments by using a certain weighted average cost structure; providing that certain annual inflationary cost adjustments used to establish a certain annual inflationary cost adjustment may not be less than a certain percentage; providing that a certain annual inflationary cost adjustment may not exceed a certain percentage;”; in line 15, strike “a”; and in the same line, strike “date” and substitute “dates; providing for the termination of this Act”.

AMENDMENT NO. 2

On page 2, strike beginning with “Develop” in line 23 down through “BY” in line 28 and substitute “**DETERMINE A WEIGHTED AVERAGE COST STRUCTURE OF PROVIDERS BY**”; and in line 31, after the semicolon insert “**AND**”.

On page 3, strike beginning with the second “AND” in line 3 down through the semicolon in line 7; in line 23, strike “UPDATE FORMULA” and substitute “**ANNUAL INFLATIONARY COST ADJUSTMENT**”; in line 24, strike “**13-806**” and substitute “**16-201.2 (C)**”; in the same line, strike “SUBTITLE” and substitute “**ARTICLE**”; and strike beginning with “methodologies” in line 32 down through the comma in line 33 and substitute “**WEIGHTED AVERAGE COST STRUCTURE OF PROVIDERS**”.

(Over)

AMENDMENT NO. 3

On page 4, strike beginning with “using” in line 30 down through “Commission” in line 32; and after line 32, insert:

“(2) THE DEPARTMENT SHALL ESTABLISH AN ANNUAL INFLATIONARY COST ADJUSTMENT FOR PROVIDERS THAT SHALL BE ALIGNED WITH THE ANNUAL COST ADJUSTMENTS FOR UNITS OF STATE GOVERNMENT IN THE GOVERNOR’S PROPOSED BUDGET.

“(3) SUBJECT TO PARAGRAPHS (4) AND (5) OF THIS SUBSECTION, THE DEPARTMENT SHALL ENSURE THAT THE ANNUAL INFLATIONARY COST ADJUSTMENT FOR PROVIDERS IS EQUIVALENT TO THE ANNUAL INFLATIONARY COST ADJUSTMENTS FOR CATEGORIES OF COSTS FOR UNITS OF STATE GOVERNMENT IN THE GOVERNOR’S PROPOSED BUDGET BY USING THE WEIGHTED AVERAGE COST STRUCTURE SET FORTH IN § 13-806(B)(1) OF THIS ARTICLE.

“(4) THE ANNUAL INFLATIONARY COST ADJUSTMENTS FOR CATEGORIES OF COSTS FOR UNITS OF STATE GOVERNMENT USED TO ESTABLISH THE ANNUAL INFLATIONARY COST ADJUSTMENT FOR PROVIDERS MAY NOT BE LESS THAN 0%.

“(5) THE ANNUAL INFLATIONARY COST ADJUSTMENT FOR PROVIDERS MAY NOT EXCEED A MAXIMUM ADJUSTMENT OF 4%.”.

On pages 4 and 5, strike in their entirety the lines beginning with line 33 on page 4 through line 2 on page 5.

AMENDMENT NO. 4

On page 5, in line 3, strike “**(3)**” and substitute “**(6)**”; in line 9, after “(a)” insert “(1)”; strike beginning with “to” in line 11 down through “and” in line 14 and substitute “for purposes of recommending a plan to develop, and a timeline to implement, a rate-setting methodology for community developmental disabilities and mental health services providers that would:

(i) promote the fiscally sound and efficient operation of community services providers; and

(ii) promote the highest level of quality of care for individuals with developmental disabilities and mental illness;

(2) include in the study an analysis of:

(i) the operating costs of community services providers;

(ii) the ability of community services providers to attract and retain a high quality work force;

(iii) any appropriate and feasible incentives for high quality performance of community services providers;

(iv) any capital infrastructure needs of community services providers;

(v) transportation costs of community services providers;

(vi) the appropriate future role of the Community Services Reimbursement Rate Commission and other entities involved in State rate-setting processes; and

(vii) any other issues related to the efficient and effective provision of community services; and

(b) (1) on or before December 1, 2012, report its preliminary findings and recommendations to the General Assembly, in accordance with § 2-1246 of the State Government Article; and”;

in line 15, strike “(b)” and substitute “(2)”; in the same line, strike “2011” and substitute “2013”; and in line 18, after “2010.” insert “It shall remain effective for a period of 5 years and 9 months and, at the end of June 30, 2016, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.