

SB 8-FN-LOCAL - AS AMENDED BY THE HOUSE

03/12/2015 0700s  
6May2015... 1501h

2015 SESSION

15-1015  
01/09

SENATE BILL        ***8-FN-LOCAL***

AN ACT            relative to appropriations for nursing homes.

SPONSORS:        Sen. Forrester, Dist 2; Sen. Avard, Dist 12; Sen. Birdsell, Dist 19; Sen. Boutin, Dist 16; Sen. Bradley, Dist 3; Sen. Carson, Dist 14; Sen. Cataldo, Dist 6; Sen. Daniels, Dist 11; Sen. Little, Dist 8; Sen. Morse, Dist 22; Sen. Prescott, Dist 23; Sen. Reagan, Dist 17; Sen. Sanborn, Dist 9; Sen. Stiles, Dist 24; Rep. Chandler, Carr 1; Rep. Jasper, Hills 37; Rep. Kurk, Hills 2; Rep. Ladd, Graf 4; Rep. Vadney, Belk 2

COMMITTEE:      Finance

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ANALYSIS

This bill clarifies the use of the appropriations made in 2013, 143 (HB 1-A) relative to nursing homes.

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Explanation:     Matter added to current law appears in ***bold italics***.  
                     Matter removed from current law appears [~~in brackets and struck through~~].  
                     Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fifteen*

AN ACT relative to appropriations for nursing homes.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Health and Human Services; Nursing Home Appropriations. Amend 2013, 143:1, accounting  
2 unit 05-95-48-481510-5942 by replacing the organizational notes immediately following such  
3 accounting unit with the following:

4 ORGANIZATION NOTES

5 \*The appropriation contained in classes 504, 505, 506, and 529 may only be transferred between  
6 and among said classes. The appropriations shall not lapse or be used for any other purpose. The  
7 appropriations shall not be considered for budget reductions required pursuant to sections 10 and 14  
8 of this act or any other budget reduction, including executive orders required of the department of  
9 health and human services. Any balance remaining at the end of each fiscal year shall be paid  
10 proportionately to providers as a lump sum distribution of surplus funds based on Medicaid  
11 payments made to each provider during the fiscal year.

12 2 Health and Human Services; Nursing Home Appropriations. Pursuant to the organization  
13 note contained in 2013, 143:1, accounting unit 05-95-48-481510-5942, as amended in section 1 of this  
14 act, for any balance in class 504 nursing home payments that remained at the end of fiscal year  
15 2014, the department of health and human services shall pay the entire amount immediately upon  
16 passage of this act in a lump sum distribution of surplus funds paid proportionately to providers  
17 based on Medicaid payments made to each provider during the fiscal year ending on June 30, 2014.  
18 Upon payment of the distribution of surplus funds made pursuant to this act, the department shall  
19 report the total amount of surplus, by source of funds, the total amount paid, and the date payment  
20 was made to the fiscal committee of the general court.

21 3 Health and Human Services; Choices for Independence Appropriations. Notwithstanding the  
22 organization note contained in 2013, 143:1, accounting unit 05-95-48-481510-5942, as amended in  
23 section 1 of this act, from any balance that remained in classes 505, mid-level care expenses, 506  
24 home support waiver services, and 529, home health care waiver services, at the end of fiscal year  
25 2014, the department of health and human services shall make a supplemental, one-time payment to  
26 current providers equal to 2 percent of the Medicaid payments made to each provider during the  
27 fiscal year ending June 30, 2015. The department shall make such payment immediately upon  
28 finalization of fiscal year 2015 billings. After such payment is made, any remaining general fund  
29 balance in classes 505, 506, and 529 shall lapse to the general fund.

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**- Page 2 -**

1           4 Health and Human Services; Choices for Independence Appropriations. Notwithstanding the  
2 organization note contained in 2013, 143:1, accounting unit 05-95-48-481510-5942, as amended in  
3 section 1 of this act, for the fiscal year ending June 30, 2015, any general fund balance remaining in  
4 classes 505, mid-level care expenses, 506, home support waiver services, and 529, home health care  
5 waiver services, at the end of fiscal year 2015, shall lapse to the general fund.

6           5 Effective Date. This act shall take effect upon its passage.

**SB 8-FN-LOCAL FISCAL NOTE**

AN ACT                    relative to appropriations for nursing homes.

**FISCAL IMPACT:**

The Department of Health and Human Services states this bill, **as amended by the House (Amendment #2015-1501h)**, will reduce state expenditures by \$15,194,133 in FY 2015. There will be no fiscal impact on state, county or local revenues or local expenditures.

**METHODOLOGY:**

The Department of Health and Human Services states this bill amends the organization note to accounting unit 05-95-48-48150-5942 established in chapter 143:1 of the laws of 2013. The Department records the financial activity of the Division of Elderly and Adult Services' long term care elderly services county participation in this accounting unit.

The Department states the amended organization note specifies the appropriations made in classes 504 (nursing home payments), 505 (mid-level care expenses), 506 (home support services), and 529 (home health services) may only be transferred between and among said classes, shall not lapse, and shall not be used for other purposes. The organizational note also specifies the appropriations shall not be considered for budget reductions and that any balance at the end of each fiscal year shall be proportionately paid to providers as a lump sum distribution based on Medicaid payments made to each provider during the fiscal year.

Simultaneously, the amendment states notwithstanding the amended organization note, from any balance of appropriations in classes 505, 506, and 529 at the end of fiscal year 2014, a one-time payment to providers equal to 2% of each provider's fiscal year 2015 payments shall be made with the remaining general fund balances lapsing to the general fund.

Under existing law, the general fund appropriations for long term care are matched with federal Medicaid funds and expended as services are provided. Any general fund balance remaining at the end of the year is also matched with federal funds and paid to providers as additional rates. The Department anticipates passage of the proposed legislation will result in a \$7,597,133 lapse to the general fund in fiscal year 2015, and reduce total expenditures by \$15,194,133 after accounting for federal funds.