

ENGROSSED HOUSE  
BILL NO. 1114

By: Thomas of the House  
and  
Robinson of the Senate

An Act relating to poor persons; amending Section 3, Chapter 280, O.S.L. 1994 (56 O.S. Supp. 1994, Section 2001), which relates to service fees assessed certain facilities for the mentally retarded; modifying computations and procedures for service fees; modifying certain definitions; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 3, Chapter 280, O.S.L. 1994 (56 O.S. Supp. 1994, Section 2001), is amended to read as follows:

Section 2001. A. ~~The Commission for Human Services~~ Oklahoma Health Care Authority shall assess each intermediate care facility for the mentally retarded in this state a service fee pursuant to this section, for Medicaid certification surveys, and administrative costs, for monitoring, reviewing, processing and ~~such~~ other such services ~~as are involved in the regulation, functions and programs for intermediate care facilities for the mentally retarded~~ related to Medicaid survey certification. The service fee for such

facilities for the services, ~~functions and programs~~ shall be based upon reasonable costs both direct and indirect of operating or providing ~~such~~ the services, ~~functions or programs~~ including but not limited to cost of administration, personnel, office space, equipment, equipment training, travel, inspections and reviews rendered in connection with such service, ~~function or program~~.

B. The service fee assessed pursuant to this section shall be set at six percent (6%) of patient gross revenues.

C. The service fee for an intermediate care facility for the mentally retarded shall be based upon a non-Medicaid patient ~~gross~~ revenue report hereby required to be filed by the facility with the ~~Department of Human Services~~ Oklahoma Health Care Authority each month, and the gross amount of the facility's payment claim for services furnished to Medicaid recipients during each month.

D. The monthly service fee of an intermediate care facility for the mentally retarded shall be calculated by multiplying the patient gross revenue by the percentage specified in this section ~~and dividing the product by twelve~~.

E. The service fee for an intermediate care facility for the mentally retarded for the period beginning ~~July 1, 1994 through June 30, 1995~~ shall be determined using patient gross revenue figures ~~reported to the Department of Human Services upon forms supplied by the Department for the 1993 calendar year. The services fee for the fiscal year beginning July 1, 1995,~~ and each fiscal year thereafter shall be determined using ~~the latest calendar year~~ each month's Medicaid and non-Medicaid patient gross revenue ~~report received by the Department~~.

F. The payment of this service fee by intermediate care facilities for the mentally retarded shall be an allowable cost for Medicaid purposes and shall be reimbursed to such facilities on a monthly basis.

G. The ~~Commission~~ Oklahoma Health Care Authority Board shall promulgate rules for the imposition, collection and enforcement of such fees.

H. As used in this section:

1. "Intermediate care facilities for the mentally retarded" means any ~~home, establishment or institution~~ specialized facility licensed by the State Department of Health pursuant to Section 1-1901 et seq. of Title 63 of the Oklahoma Statutes or licensed by the Department of Human Services ~~which offers or provides inpatient long-term care services on a twenty-four-hour basis to a limited category of persons requiring such services including but not limited to a facility~~ providing health or habilitation services for mentally retarded or developmentally disabled persons;

2. "Medicaid" means the medical assistance program established in Title XIX of the Social Security Act and administered in this state by the ~~Department of Human Services~~ Oklahoma Health Care Authority; and

3. "Patient gross revenues" means gross revenue received in compensation for services provided to inpatients as identified under Medicare principles of reimbursement.

SECTION 2. This act shall become effective July 1, 1995.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 8th day of March, 1995.

Speaker of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1995.

President of the Senate