

EHB 2778

THE STATE SENATE
Monday, March 29, 2010

ENGROSSED

House Bill No. 2778

As Amended

ENGROSSED HOUSE BILL NO. 2778 - By: Steele, Billy, Shelton,
Morrissette, Denney, McDaniel (Jeannie), Tibbs, Inman, Collins and
Pittman of the House and Crain of the Senate.

**[poor persons - refinements to the incentive reimbursement
rate plan for nursing facilities - requiring annual report -
effective date]**

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

SECTION 1. AMENDATORY Section 5, Chapter 315, O.S.L.

2006 (56 O.S. Supp. 2009, Section 1011.5), is amended to read as
follows:

Section 1011.5 A. The Oklahoma Health Care Authority in
cooperation with the State Department of Health, a statewide
organization of the elderly, representatives of the Health and Human
Services Interagency Task Force on long-term care, and
representatives of both statewide associations of nursing facility
operators shall develop an incentive reimbursement rate plan for
nursing facilities that shall include, but may not be limited to,
the following:

- 1. Quality of life indicators that relate to total management
initiatives;

(Bold face denotes Committee Amendments)

- 1 2. Quality of care indicators;
- 2 3. Family and resident satisfaction survey results;
- 3 4. State Department of Health survey results;
- 4 5. Employee satisfaction survey results;
- 5 6. CNA training and education requirements;
- 6 7. Patient acuity level;
- 7 8. Direct care expenditures pursuant to subparagraph e of
- 8 paragraph 2 of subsection I of Section 1-1925.2 of Title 63 of the
- 9 Oklahoma Statutes; and
- 10 9. Other incentives which include, without limitation,
- 11 participation in quality initiative activities performed and/or
- 12 recommended by the Oklahoma Foundation for Medical Quality in
- 13 capital improvements, in-service education of direct staff, and
- 14 procurement of reasonable amounts of liability insurance.

15 B. The Oklahoma Health Care Authority shall negotiate with the
16 Centers for Medicare and Medicaid Services to include the authority
17 to base provider reimbursement rates for nursing facilities on the
18 criteria specified in subsection A of this section.

19 C. The Oklahoma Health Care Authority shall make refinements to
20 the incentive reimbursement rate plan to ensure transparency and
21 integrity. These refinements shall include, but may not be limited
22 to, the following:

1 1. Establishing minimum standard for incentive payments,
2 through higher percentiles using evidence-based criteria or
3 introduction of absolute standards above the current benchmark;

4 2. Using state survey results as a threshold metric for
5 determining if facilities should receive incentive payment and
6 suspend facilities falling below the threshold;

7 3. Taking steps to strengthen data collection process; and

8 4. Establishing an advisory group with consumer, provider and
9 state agency representation to provide feedback on program
10 performance and recommendations for improvements.

11 D. The Oklahoma Health Care Authority shall provide an annual
12 report of the incentive reimbursement rate plan to the Governor, the
13 Speaker of the House of Representatives, and the President Pro
14 Tempore of the Senate by December 31 of each year. The report shall
15 include, but not be limited to, an analysis of the previous fiscal
16 year including incentive payments, ratings, and notable trends.

17 SECTION 2. This act shall become effective November 1, 2010.

18 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 3-24-10 - DO
19 PASS, As Amended and Coauthored.