

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2778

By: Steele

4
5
6 AS INTRODUCED

7 An Act relating to poor persons; Section 5, Chapter
8 315, O.S.L. 2006 (56 O.S. Supp. 2009, Section
9 1011.5), which relates to an incentive reimbursement
10 rate plan for nursing facilities; requiring that the
Oklahoma Health Care Authority make certain
refinements to the plan; requiring annual report to
certain individuals; and providing an effective date.

11
12
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY Section 5, Chapter 315, O.S.L.
15 2006 (56 O.S. Supp. 2009, Section 1011.5), is amended to read as
16 follows:

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

- 1 1. Quality of life indicators that relate to total management
2 initiatives;
- 3 2. Quality of care indicators;
- 4 3. Family and resident satisfaction survey results;
- 5 4. State Department of Health survey results;
- 6 5. Employee satisfaction survey results;
- 7 6. CNA training and education requirements;
- 8 7. Patient acuity level;
- 9 8. Direct care expenditures pursuant to subparagraph e of
10 paragraph 2 of subsection I of Section 1-1925.2 of Title 63 of the
11 Oklahoma Statutes; and

12 9. Other incentives which include, without limitation,
13 participation in quality initiative activities performed and/or
14 recommended by the Oklahoma Foundation for Medical Quality in
15 capital improvements, in-service education of direct staff, and
16 procurement of reasonable amounts of liability insurance.

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

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

1 1. Establishing minimum standard for incentive payments,
2 through higher percentiles or introduction of absolute standards
3 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
19 52-2-8385 AM 01/11/10
20
21
22
23
24