

SS HCS HB 740 -- FEDERAL REIMBURSEMENT ALLOWANCES

This bill extends the expiration date from June 30, 2009, to September 30, 2011, for the Missouri Medicaid Program's managed care organization reimbursement allowance in Sections 208.431 - 208.437, RSMo, and the pharmacy reimbursement allowance tax in Sections 338.500 - 338.550.

The expiration date of the federal reimbursement allowance assessment for hospitals in Sections 208.453 - 208.480 is extended from September 30, 2009, to September 30, 2011, and the assessment for intermediate care facilities for the mentally retarded is extended from June 30, 2009, to September 30, 2011.

The bill requires each MO HealthNet in-home services provider to pay an in-home services gross receipts tax based on a formula established by the Department of Social Services, not to exceed 6.5% of its gross receipts. "In-home services" are defined as homemaker services, personal care services, chore services, respite services, consumer-directed services, and services provided in the individual's home and under a plan of care created by a physician which are necessary to keep a child out of a hospital. "In-home services provider" is defined as any provider or vendor as specified under Section 208.900 of compensated in-home services under Chapter 208 and under a provider agreement or contracted with the departments of Social Services or Health and Senior Services.

Each in-home services provider who is subject to the provisions of the bill is required to keep the necessary records to determine the total payments received for providing in-home services and report the information to the Department of Social Services. The Department of Health and Senior Services must provide the Department of Social Services with a list of all in-home services providers and vendors covered under these provisions.

The Department of Social Services is required to determine and notify each provider of the amount of tax due. The tax due may be adjusted quarterly on a prospective basis or more frequently for certain providers if the department identifies the need. If requested by the provider, the department may offset the tax owed against any MO HealthNet Program payment due the provider.

The In-home Services Gross Receipts Tax Fund is created to provide payment for in-home services. All investment earnings of the fund must be credited to the fund.

For an in-home services provider with a tax due of more than 90 days, the Department of Social Services is required to send

notification of the tax due. If a provider fails to pay its tax within 30 days of the notice, the tax is considered delinquent and the department may proceed with a lien against the provider's property; revoke his or her provider contract; and cancel or refuse to issue, extend, or reinstate his or her MO HealthNet provider agreement.

The provisions regarding the in-home services gross receipts tax will be effective upon authorization by the federal Centers for Medicare and Medicaid Services for a gross receipts tax for in-home services or 60 days after a determination by the federal centers that their authorization is not necessary.

The provisions of the bill regarding the in-home services gross receipts tax will expire September 1, 2011, or sooner under certain specified conditions.

The bill contains an emergency clause.