

SB3107



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3107

Introduced 2/7/2014, by Sen. Antonio Muñoz

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5A-2
305 ILCS 5/5A-14

from Ch. 23, par. 5A-2

Amends the Hospital Provider Funding Article of the Illinois Public Aid Code. Extends the period of time certain hospital assessments are imposed through State fiscal year 2016. Effective immediately.

LRB098 20037 KTG 55270 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by
5 changing Sections 5A-2 and 5A-14 as follows:

6 (305 ILCS 5/5A-2) (from Ch. 23, par. 5A-2)

7 (Section scheduled to be repealed on January 1, 2015)

8 Sec. 5A-2. Assessment.

9 (a) Subject to Sections 5A-3 and 5A-10, for State fiscal
10 years 2009 through 2016 ~~2014, and from July 1, 2014 through~~
11 ~~December 31, 2014,~~ an annual assessment on inpatient services
12 is imposed on each hospital provider in an amount equal to
13 \$218.38 multiplied by the difference of the hospital's occupied
14 bed days less the hospital's Medicare bed days.

15 For State fiscal years 2009 through 2016 ~~2014,~~ and after a
16 hospital's occupied bed days and Medicare bed days shall be
17 determined using the most recent data available from each
18 hospital's 2005 Medicare cost report as contained in the
19 Healthcare Cost Report Information System file, for the quarter
20 ending on December 31, 2006, without regard to any subsequent
21 adjustments or changes to such data. If a hospital's 2005
22 Medicare cost report is not contained in the Healthcare Cost
23 Report Information System, then the Illinois Department may

1 obtain the hospital provider's occupied bed days and Medicare
2 bed days from any source available, including, but not limited
3 to, records maintained by the hospital provider, which may be
4 inspected at all times during business hours of the day by the
5 Illinois Department or its duly authorized agents and
6 employees.

7 (b) (Blank).

8 (b-5) Subject to Sections 5A-3 and 5A-10, for the portion
9 of State fiscal year 2012, beginning June 10, 2012 through June
10 30, 2012, and for State fiscal years 2013 through 2016 ~~2014,~~
11 ~~and July 1, 2014 through December 31, 2014,~~ an annual
12 assessment on outpatient services is imposed on each hospital
13 provider in an amount equal to .008766 multiplied by the
14 hospital's outpatient gross revenue. For the period beginning
15 June 10, 2012 through June 30, 2012, the annual assessment on
16 outpatient services shall be prorated by multiplying the
17 assessment amount by a fraction, the numerator of which is 21
18 days and the denominator of which is 365 days.

19 For the portion of State fiscal year 2012, beginning June
20 10, 2012 through June 30, 2012, and State fiscal years 2013
21 through 2016 ~~2014,~~ and ~~July 1, 2014 through December 31, 2014,~~
22 a hospital's outpatient gross revenue shall be determined using
23 the most recent data available from each hospital's 2009
24 Medicare cost report as contained in the Healthcare Cost Report
25 Information System file, for the quarter ending on June 30,
26 2011, without regard to any subsequent adjustments or changes

1 to such data. If a hospital's 2009 Medicare cost report is not
2 contained in the Healthcare Cost Report Information System,
3 then the Department may obtain the hospital provider's
4 outpatient gross revenue from any source available, including,
5 but not limited to, records maintained by the hospital
6 provider, which may be inspected at all times during business
7 hours of the day by the Department or its duly authorized
8 agents and employees.

9 (c) (Blank).

10 (d) Notwithstanding any of the other provisions of this
11 Section, the Department is authorized to adopt rules to reduce
12 the rate of any annual assessment imposed under this Section,
13 as authorized by Section 5-46.2 of the Illinois Administrative
14 Procedure Act.

15 (e) Notwithstanding any other provision of this Section,
16 any plan providing for an assessment on a hospital provider as
17 a permissible tax under Title XIX of the federal Social
18 Security Act and Medicaid-eligible payments to hospital
19 providers from the revenues derived from that assessment shall
20 be reviewed by the Illinois Department of Healthcare and Family
21 Services, as the Single State Medicaid Agency required by
22 federal law, to determine whether those assessments and
23 hospital provider payments meet federal Medicaid standards. If
24 the Department determines that the elements of the plan may
25 meet federal Medicaid standards and a related State Medicaid
26 Plan Amendment is prepared in a manner and form suitable for

1 submission, that State Plan Amendment shall be submitted in a
2 timely manner for review by the Centers for Medicare and
3 Medicaid Services of the United States Department of Health and
4 Human Services and subject to approval by the Centers for
5 Medicare and Medicaid Services of the United States Department
6 of Health and Human Services. No such plan shall become
7 effective without approval by the Illinois General Assembly by
8 the enactment into law of related legislation. Notwithstanding
9 any other provision of this Section, the Department is
10 authorized to adopt rules to reduce the rate of any annual
11 assessment imposed under this Section. Any such rules may be
12 adopted by the Department under Section 5-50 of the Illinois
13 Administrative Procedure Act.

14 (Source: P.A. 97-688, eff. 6-14-12; 97-689, eff. 6-14-12;
15 98-104, eff. 7-22-13.)

16 (305 ILCS 5/5A-14)

17 Sec. 5A-14. Repeal of assessments and disbursements.

18 (a) Section 5A-2 is repealed on July 1, 2016 ~~January 1,~~
19 ~~2015~~.

20 (b) Section 5A-12 is repealed on July 1, 2005.

21 (c) Section 5A-12.1 is repealed on July 1, 2008.

22 (d) Section 5A-12.2 and Section 5A-12.4 are repealed on
23 July 1, 2016 ~~January 1, 2015~~.

24 (e) Section 5A-12.3 is repealed on July 1, 2011.

25 (Source: P.A. 96-821, eff. 11-20-09; 96-1530, eff. 2-16-11;

1 97-688, eff. 6-14-12; 97-689, eff. 6-14-12.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.