

HOSPITAL ASSESSMENT AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Evan J. Vickers

House Sponsor: Steve Eliason

LONG TITLE

General Description:

This bill amends the hospital provider assessment.

Highlighted Provisions:

This bill:

▶ amends factors that the Medicaid program incorporates into the accountable care organization payment rate structure; and

▶ extends the sunset for the hospital provider assessment.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26-36d-205, as repealed and reenacted by Laws of Utah 2019, Chapter 455

63I-1-226, as last amended by Laws of Utah 2022, Chapters 194, 206, 224, 253, 255, 347, and 451

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26-36d-205** is amended to read:

26-36d-205. Medicaid hospital adjustment under accountable care organization



28 **rates.**

29 To preserve and improve access to hospital services, the division shall ~~[for accountable~~
 30 ~~care organization rates effective on or after April 1, 2013,]~~ incorporate into the accountable
 31 care organization rate structure calculation consistent with the certified actuarial rate range:

32 (1) \$154,000,000 to be allocated toward the hospital inpatient directed payments for
 33 the Medicaid eligibility categories covered in Utah before January 1, 2019; and

34 (2) an amount equal to the difference between payments made to hospitals by
 35 accountable care organizations for the Medicaid eligibility categories covered in Utah ~~[before~~
 36 ~~January 1, 2019]~~, based on submitted encounter data and the maximum amount that could be
 37 paid for those services ~~[using Medicare payment principles]~~ to be used for directed payments to
 38 hospitals for inpatient and outpatient services.

38a **§→ (3) (a) To preserve and improve the quality of inpatient and outpatient hospital services**
 38b **authorized under (2), the division shall amend its quality strategies required by 42 C.F.R. Sec.**
 38c **438.340 to include quality measures selected from the CMS hospital quality improvement**
 38d **programs.**

38e **(b) To better address the unique needs of rural and specialty hospitals, the division may adopt**
 38f **different quality standards for rural and specialty hospitals.**

38g **(c) The division shall make rules in accordance with Title 63G, Chapter 3, Utah**
 38h **Administrative Rulemaking Act, to adopt the selected quality measures and prescribe**
 38i **penalties for not meeting the quality standards that are established by the division by rule.**

38j **(d) The division shall apply the same quality measures and penalties under this Subsection (3)**
 38k **to new directed payments made to the University of Utah Hospital and Clinics. ←§**

39 Section 2. Section **63I-1-226** is amended to read:

40 **63I-1-226. Repeal dates: Title 26 through 26B.**

41 (1) Section **26-1-7.5**, which creates the Utah Health Advisory Council, is repealed July
 42 1, 2025.

43 (2) Section **26-1-40** is repealed July 1, 2022.

44 (3) Section **26-1-41** is repealed July 1, 2026.

45 (4) Section **26-1-43** is repealed December 31, 2025.

46 (5) Section **26-7-10** is repealed July 1, 2025.

47 (6) Subsection **26-7-11(5)**, regarding reports to the Legislature, is repealed July 1,
 48 2028.

49 (7) Section **26-7-14** is repealed December 31, 2027.

50 (8) Section **26-8a-603** is repealed July 1, 2027.

51 (9) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July
52 1, 2025.

53 (10) Subsection 26-10-6(5), which creates the Newborn Hearing Screening Committee,
54 is repealed July 1, 2026.

55 (11) Section 26-10b-106, which creates the Primary Care Grant Committee, is repealed
56 July 1, 2025.

57 (12) Subsection 26-15c-104(3), relating to a limitation on the number of
58 microenterprise home kitchen permits that may be issued, is repealed July 1, 2022.

59 (13) Subsection 26-18-2.6(9), which addresses reimbursement for dental hygienists, is
60 repealed July 1, 2028.

61 (14) Section 26-18-27 is repealed July 1, 2025.

62 (15) Section 26-18-28 is repealed June 30, 2027.

63 (16) Title 26, Chapter 18, Part 2, Drug Utilization Review Board, is repealed July 1,
64 2027.

65 (17) Subsection 26-18-418(2), the language that states "and the Behavioral Health
66 Crisis Response Commission created in Section 63C-18-202" is repealed July 1, 2023.

67 (18) Section 26-33a-117 is repealed December 31, 2023.

68 (19) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1, 2024.

69 (20) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1,
70 2024.

71 (21) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is repealed
72 July 1, 2024.

73 (22) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July 1,
74 [~~2024~~] 2028.

75 (23) Section 26-39-201, which creates the Residential Child Care Licensing Advisory
76 Committee, is repealed July 1, 2024.

77 (24) Section 26-39-405, Drinking water quality in child care centers, is repealed July 1,
78 2027.

79 (25) Section 26-40-104, which creates the Utah Children's Health Insurance Program
80 Advisory Council, is repealed July 1, 2025.

81 (26) Section 26-50-202, which creates the Traumatic Brain Injury Advisory
82 Committee, is repealed July 1, 2025.

83 (27) Title 26, Chapter 54, Spinal Cord and Brain Injury Rehabilitation Fund and
84 Pediatric Neuro-Rehabilitation Fund, is repealed January 1, 2025.

85 (28) Title 26, Chapter 66, Early Childhood Utah Advisory Council, is repealed July 1,
86 2026.

87 (29) Title 26, Chapter 68, COVID-19 Vaccine Restrictions Act, is repealed July 1,
88 2024.

89 (30) Section 26-69-406 is repealed July 1, 2025.

90 (31) Subsection 26B-1-204(2)(i), related to the Residential Child Care Licensing
91 Advisory Committee, is repealed July 1, 2024.

92 (32) Subsection 26B-1-204(2)(k), related to the Primary Care Grant Committee, is
93 repealed July 1, 2025.