

LONG-TERM CARE FACILITY FUNDING

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ann Millner

House Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to funding for certain nursing care facilities.

Highlighted Provisions:

This bill:

▶ authorizes the use of the Medicaid Expansion Fund to make certain payments to nursing and intermediate care facilities; and

▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26B-1-315, as last amended by Laws of Utah 2023, Chapter 471 and renumbered and amended by Laws of Utah 2023, Chapter 305

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

Section 1. Section **26B-1-315** is amended to read:

26B-1-315. Medicaid Expansion Fund.

(1) There is created an expendable special revenue fund known as the "Medicaid



28 Expansion Fund."

29 (2) The fund consists of:

30 (a) assessments collected under Chapter 3, Part 5, Inpatient Hospital Assessment;

31 (b) intergovernmental transfers under Section 26B-3-508;

32 (c) savings attributable to the health coverage improvement program, as defined in
33 Section 26B-3-501, as determined by the department;

34 (d) savings attributable to the enhancement waiver program, as defined in Section
35 26B-3-501, as determined by the department;

36 (e) savings attributable to the Medicaid waiver expansion, as defined in Section
37 26B-3-501, as determined by the department;

38 (f) savings attributable to the inclusion of psychotropic drugs on the preferred drug list
39 under Subsection 26B-3-105(3) as determined by the department;

40 (g) revenues collected from the sales tax described in Subsection 59-12-103(11);

41 (h) gifts, grants, donations, or any other conveyance of money that may be made to the
42 fund from private sources;

43 (i) interest earned on money in the fund; and

44 (j) additional amounts as appropriated by the Legislature.

45 (3) (a) The fund shall earn interest.

46 (b) All interest earned on fund money shall be deposited into the fund.

47 (4) (a) A state agency administering the provisions of Chapter 3, Part 5, Inpatient
48 Hospital Assessment, may use money from the fund to pay the costs, not otherwise paid for
49 with federal funds or other revenue sources, of:

50 (i) the health coverage improvement program as defined in Section 26B-3-501;

51 (ii) the enhancement waiver program as defined in Section 26B-3-501;

52 (iii) a Medicaid waiver expansion as defined in Section 26B-3-501; [~~and~~]

53 (iv) the outpatient upper payment limit supplemental payments under Section
54 26B-3-511[-];

55 (v) upper payment limit supplement payments under the Nursing Care Facility
56 Non-State Government-Owned Upper Payment Limit program described in Section
57 26B-3-130; and

58 (vi) payments to Medicaid-certified nursing facilities or Medicaid-certified

59 intermediate care facilities for individuals with intellectual disabilities, if a decrease or lapse in
60 federal funding impairs the ability of those facilities to provide adequate care for individuals
61 served by those facilities.

62 (b) A state agency administering the provisions of Chapter 3, Part 5, Inpatient Hospital
63 Assessment, may not use:

64 (i) funds described in Subsection (2)(b) to pay the cost of private outpatient upper
65 payment limit supplemental payments; or

66 (ii) money in the fund for any purpose not described in Subsection (4)(a).

67 Section 2. **Effective date.**

68 This bill takes effect on May 1, 2024.