

MEDICAID REIMBURSEMENT RATE AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd D. Weiler

House Sponsor: Stephanie Gricius

LONG TITLE

General Description:

This bill addresses Medicaid provider rates.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ adds autism spectrum disorder services provider rates to automatic base budget

increases that occur when the General Fund growth factor is greater than or equal to 102%.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26B-3-203, as renumbered and amended by Laws of Utah 2023, Chapter 306

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

Section 1. Section **26B-3-203** is amended to read:

26B-3-203. Base budget appropriations for Medicaid accountable care organizations, behavioral health plans, and autism spectrum disorder services -- Forecast



28 **of behavioral health services cost.**

29 (1) As used in this section:

30 (a) "ACO" means an accountable care organization that contracts with the state's
31 Medicaid program for:

32 (i) physical health services; or

33 (ii) integrated physical and behavioral health services.

34 (b) "Base budget" means the same as that term is defined in legislative rule.

35 (c) "Behavioral health plan" means a managed care or fee for service delivery system
36 that contracts with or is operated by the department to provide behavioral health services to
37 Medicaid eligible individuals.

38 (d) "Behavioral health services" means mental health or substance use treatment or
39 services.

40 (e) "Diagnosis of autism spectrum disorder" means the same as that term is defined in
41 Section 31A-22-642.

42 [~~(e)~~] (f) "General Fund growth factor" means the amount determined by dividing the
43 next fiscal year ongoing General Fund revenue estimate by current fiscal year ongoing
44 appropriations from the General Fund.

45 [~~(f)~~] (g) "Next fiscal year ongoing General Fund revenue estimate" means the next
46 fiscal year ongoing General Fund revenue estimate identified by the Executive Appropriations
47 Committee, in accordance with legislative rule, for use by the Office of the Legislative Fiscal
48 Analyst in preparing budget recommendations.

49 [~~(g)~~] (h) "PMPM" means per-member-per-month funding.

50 (i) "Provider rate" means a predetermined maximum allowable reimbursement rate
51 developed by the division, in accordance with Title 26B, Chapter 3, Part 1, Health Care
52 Assistance, for services directly related to:

53 (i) diagnosis of autism spectrum disorder; or

54 (ii) treatment for autism spectrum disorder.

55 (j) "Treatment for autism spectrum disorder" means the same as that term is defined in
56 Section 31A-22-642.

57 (2) If the General Fund growth factor is less than 100%, the next fiscal year base
58 budget shall, subject to Subsection (5), include an appropriation to the department in an

59 amount necessary to ensure that the next fiscal year PMPM for ACOs and behavioral health
60 plans equals the current fiscal year PMPM for the ACOs and behavioral health plans multiplied
61 by 100%.

62 (3) If the General Fund growth factor is greater than or equal to 100%, but less than
63 102%, the next fiscal year base budget shall, subject to Subsection (5), include an appropriation
64 to the department in an amount necessary to ensure that the next fiscal year PMPM for ACOs
65 and behavioral health plans equals the current fiscal year PMPM for the ACOs and behavioral
66 health plans multiplied by the General Fund growth factor.

67 (4) If the General Fund growth factor is greater than or equal to 102%, the next fiscal
68 year base budget shall[-];

69 (a) subject to Subsection (5), include an appropriation to the department in an amount
70 necessary to ensure that the next fiscal year PMPM for ACOs and behavioral health plans is
71 greater than or equal to the current fiscal year PMPM for the ACOs and behavioral health plans
72 multiplied by 102% and less than or equal to the current fiscal year PMPM for the ACOs and
73 behavioral health plans multiplied by the General Fund growth factor[-]; and

74 (b) include an appropriation to the department in an amount necessary to ensure that
75 the next fiscal year provider rate for autism spectrum disorder services is:

76 (i) higher than the current fiscal year provider rate for autism spectrum disorder
77 services multiplied by 102%; and

78 (ii) equal to or lower than the current fiscal year provider rate for autism spectrum
79 disorder services multiplied by the General Fund growth factor.

80 (5) The appropriations provided to the department for behavioral health plans under
81 this section shall be reduced by the amount contributed by counties in the current fiscal year for
82 behavioral health plans in accordance with Subsections 17-43-201(5)(k) and
83 17-43-301(6)(a)(x).

84 (6) In order for the department to estimate the impact of Subsections (2) through (4)
85 before identification of the next fiscal year ongoing General Fund revenue estimate, the
86 Governor's Office of Planning and Budget shall, in cooperation with the Office of the
87 Legislative Fiscal Analyst, develop an estimate of ongoing General Fund revenue for the next
88 fiscal year and provide the estimate to the department no later than November 1 of each year.

89 (7) The Office of the Legislative Fiscal Analyst shall include an estimate of the cost of

90 behavioral health services in any state Medicaid funding or savings forecast that is completed
91 in coordination with the department and the Governor's Office of Planning and Budget.

92 Section 2. **Effective date.**

93 This bill takes effect on May 1, 2024.