



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 831

H.P. 628

House of Representatives, March 3, 2011

### **An Act To Protect the State from Accumulating Future Hospital Debt**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative CUSHING of Hampden.  
Cosponsored by Senator COURTNEY of York and  
Representatives: CRAFTS of Lisbon, CURTIS of Madison, FLOOD of Winthrop, WINSOR of  
Norway, Senators: PLOWMAN of Penobscot, TRAHAN of Lincoln.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §1714-D** is enacted to read:

3 **§1714-D. Hospital interim settlements**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
5 following terms have the following meanings.

6 A. "As-filed Medicare cost report" means the cost report that a hospital files with a  
7 Medicare fiscal intermediary and with MaineCare, using the federal Centers for  
8 Medicare and Medicaid Services Medicare cost report form containing all  
9 information required by the department.

10 B. "MaineCare paid claims history" means a summary of all claims billed by a  
11 hospital to MaineCare members that have been processed and accepted for payment  
12 by MaineCare.

13 C. "MaineCare supplemental data form" means a form submitted by hospitals on a  
14 template provided by the department that contains information supplemental to the  
15 as-filed Medicare cost report necessary for computing the prospective interim  
16 payment, including, but not limited to, data pertaining to hospital-based physicians,  
17 laboratory and radiology claims and 3rd-party payments.

18 **2. Interim settlement payments.** With respect to services provided to MaineCare  
19 members performed after December 31, 2011, the department shall make interim  
20 settlement payments, if any, to a hospital no later than 12 months following the  
21 department's receipt of the hospital's as-filed Medicare cost report and MaineCare  
22 supplemental data form.

23 The interim settlement payment required by this section must be calculated using the  
24 same method used when calculating prospective interim payments, except that the data  
25 source used for inpatient calculations is discharges and charges included in the  
26 MaineCare paid claims history for the year for which settlement is being performed. Any  
27 other calculations required in making the interim settlement payment must be based on  
28 the hospital's as-filed Medicare cost report, the MaineCare supplemental data form and  
29 the MaineCare paid claims history for the year for which settlement is being performed.

30 **SUMMARY**

31 This bill requires the Department of Health and Human Services to use current  
32 hospital cost reports to calculate amounts owed to hospitals and pay any amounts due  
33 within one year of receiving the reports.