

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 737\*  
Second Edition Engrossed 5/7/91

Short Title: Medicaid State/Federal Coord.

(Public)

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Sponsors: Senator Richardson.

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Referred to: Human Resources.

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April 22, 1991

A BILL TO BE ENTITLED

AN ACT TO COORDINATE THE EFFECTIVE DATE OF CHANGED STATE  
MEDICAID REIMBURSEMENT AMOUNTS WITH THE DATE FOR WHICH  
THE CHANGE IS APPROVED BY FEDERAL ADMINISTRATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 108A-55 reads as rewritten:

**"§ 108A-55. Payments.**

(a) The Department may authorize, within appropriations made for this purpose, payments of all or part of the cost of medical and other remedial care for any eligible person when it is essential to the health and welfare of such person that such care be provided, and when the total resources of such person are not sufficient to provide the necessary care. When determining whether a person has sufficient resources to provide necessary medical care, there shall be excluded from consideration the person's primary place of residence and the land on which it is situated, and in addition there shall be excluded real property contiguous with the person's primary place of residence in which the property tax value is less than twelve thousand dollars (\$12,000).

(b) Payments shall be made only to intermediate care facilities, hospitals and nursing homes licensed and approved under the laws of the State of North Carolina or under the laws of another state, or to pharmacies, physicians, dentists, optometrists or other providers of health-related services authorized by the Department. Payments may also be made to such fiscal intermediaries and to such prepaid health service contractors as may be authorized by the Department.

1       (c)    The Department shall reimburse providers of services, equipment, or supplies  
2 under the Medical Assistance Program in the following amounts:

3           (1)   The amount approved by the Health Care Financing Administration of  
4 the United States Department of Health and Human Services, if that  
5 Administration approves an exact reimbursement amount;

6           (2)   The amount determined by application of a method approved by the  
7 Health Care Financing Administration of the United States Department  
8 of Health and Human Services, if that Administration approves the  
9 method by which a reimbursement amount is determined, and not the  
10 exact amount.

11       A change in a reimbursement amount becomes effective as of the date for which the  
12 change is approved by the Health Care Financing Administration of the United States  
13 Department of Health and Human Services.

14       (d)    ~~Provided, no~~ No payments shall be made for the care of any person in a  
15 nursing home or intermediate care home which is owned or operated in whole or in part  
16 by a member of the Social Services Commission, of any county board of social services,  
17 or of any board of county commissioners, or by an official or employee of the  
18 Department or of any county department of social services or by a spouse of any such  
19 person."

20           Sec. 2. This act becomes effective January 1, 1992.