

Senate Bill 610

By: Senators Harrell of the 40th, Burke of the 11th, Dugan of the 30th, Butler of the 55th,
Watson of the 1st and others

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated,
2 relating to medical assistance generally, so as to require the Department of Community
3 Health to conduct a comprehensive review of provider reimbursement rates for home and
4 community based services covered by the waiver programs; to provide for input from the
5 public, service providers, and other stakeholders; to provide for proposed rate models and
6 estimated fiscal impact; to direct the Department of Community Health to submit a waiver
7 request to the federal Centers for Medicare and Medicaid Services to authorize private
8 institutions for mental disease to qualify for Medicaid reimbursement for certain treatments;
9 to provide for implementation upon approval; to provide for related matters; to repeal
10 conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to
14 medical assistance generally, is amended by adding new Code sections to read as follows:

15 "49-4-142.4.

16 (a) Beginning Fiscal Year 2024, and at least every four years thereafter, the department
17 shall conduct a comprehensive review of provider reimbursement rates for home and
18 community based services covered by the New Options Waiver (NOW) program, the
19 Comprehensive Supports Waiver Program (COMP), the Independent Care Waiver Program
20 (ICWP), the Georgia Pediatric Program (GAPP), and the Elderly and Disabled Waiver
21 Program (EDWP). Such review shall be conducted on all waiver services and shall include
22 input from the public, service providers, and other stakeholders.

23 (b) Based on the comprehensive review conducted pursuant to subsection (a) of this Code
24 section, the department shall develop proposed rate models, related documentation, and
25 associated policy changes to the policies and procedures of each waiver program. In
26 addition, the department shall provide the projected fiscal impact of implementing such
27 proposed rate models. Such proposed rate models, related documentation, associated
28 policy changes, and the projected fiscal impact shall be submitted to the board, the
29 Department of Behavioral Health and Developmental Disabilities, and the General
30 Assembly.

31 49-4-142.5.

32 (a) No later than December 31, 2022, the department shall submit a waiver request to the
33 Centers for Medicare and Medicaid Services of the United States Department of Health and
34 Human Services to authorize private institutions for mental disease (IMDs) to qualify for
35 Medicaid reimbursement for mental health and substance use disorder treatment.

36 (b) Upon approval of such waiver, the department shall take all necessary steps to provide
37 for payment of such care at private IMDs with Medicaid funds."

38

SECTION 2.

39 All laws and parts of laws in conflict with this Act are repealed.