

By Ms. Clapprod of Sharon, petition of Sherwood Guernsey and Marjorie A. Clapprod for legislation to promote Medicaid accountability under certain financial assistance programs of the Department of Public Welfare, Human Services and Elderly Affairs.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-Nine.

AN ACT TO PROMOTE MEDICAID ACCOUNTABILITY.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 2 of Chapter 18 of the General Laws as  
2 appearing in the 1986 Official Edition is hereby amended by  
3 inserting after the first paragraph at line 8 the following: —

4 Notwithstanding any law to the contrary the Department of  
5 Public Welfare shall pay claims for services rendered in  
6 accordance with the requirements of Chapters 118E and 117 of  
7 the General Laws at rates established for that purpose by the Rate  
8 Setting Commission. The Department of Public Welfare shall  
9 implement such rates precisely on the effective dates established  
10 by the Rate Setting Commission.

1 SECTION 2. Section 92 of Chapter 23 of the acts of 1988 is  
2 hereby amended by inserting after the words "shall govern issues  
3 concerning hospital rates for fiscal years to which they applied"  
4 in the first sentence, the following: —

5 Within forty-five days of the completion of the settlement for  
6 a fiscal period under the Hospital Agreement or successor  
7 agreement described in Chapter 6A of the General Laws, the Rate  
8 Setting Commission shall calculate the Title XIX settlement using  
9 the charge accumulation data provided by the Department of  
10 Public Welfare or by the hospital, which ever is available and  
11 determined to be more accurate. The settlement computation shall  
12 be sent by the Rate Setting Commission to the hospital and to

13 the Department of Public Welfare twenty days prior to  
14 commission action approving the settlement. The commission  
15 shall approve the settlement within 90 days of its initial  
16 calculation. The Department of Public Welfare or the hospital  
17 shall pay the approved settlement amount within forty-five days  
18 of commission approval.