

By Ms. Melconian, a petition (accompanied by bill, Senate, No. 1493) of Linda J. Melconian and Shannon P. O'Brien for legislation relative to Medicaid funds for cities, towns or regional school districts. Education, Arts and Humanities.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Three.

AN ACT RELATIVE TO MEDICAID FUNDS.

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. Chapter 44 of the General Laws, as appearing in
2 the 1990 Official Edition, is hereby amended by adding after
3 section sixty-nine the following new section: —
4 Section 70. Notwithstanding the provisions of any general or
5 special law to the contrary, cities, towns, or regional school
6 districts may receive federal funds for services which are medically
7 necessary and which otherwise are reimbursable under the
8 program of medical care and assistance established under chapter
9 one hundred and eighteen E pursuant to policies, procedures, and
10 criteria established by the department of public welfare, provided
11 that the city, town, or regional school district, or any school
12 committee therein, is responsible or assumes responsibility, along
13 with the department of education, for payment of the full state
14 share of the cost of such services under said program for medical
15 care and assistance. Such federal reimbursement shall be
16 distributed as follows: 1) one-half of the federal reimbursement
17 received by the Commonwealth and attributable to services which
18 are reimbursable medical services provided to students who are
19 in residential special education programs pursuant to the
20 provisions of chapter seventy-one B shall be returned to the city,
21 town, or regional school district responsible or assuming
22 responsibility for the costs of such services; 2) one-half of the
23 federal reimbursement received by the Commonwealth and

24 attributable to services which are reimbursable medical services
25 provided to students who are in residential special education
26 programs pursuant to the provisions of chapter seventy-one B
27 shall be received by the Commonwealth and deposited into the
28 General Fund; 3) one hundred percent of the federal reimburse-
29 ment for all other reimbursable medical services shall be returned
30 to the city, town, or regional school district responsible or
31 assuming responsibility for the costs of such services. Said cities,
32 towns or regional school districts shall provide to the department
33 of public welfare such information as the department of public
34 welfare determines is necessary to receive appropriate federal
35 reimbursement under this section on such forms and at such
36 intervals as may be required by said department.

37 Notwithstanding the provisions of any general or special law
38 to the contrary, any funds received by a city, town or regional
39 school district pursuant to the provisions of this section shall be
40 considered an unrestricted revenue of the city, town, or regional
41 school district.

1 SECTION 2. The first paragraph of section five of chapter
2 seventy-one B of the General Laws, as amended by section 142
3 of chapter 138 of the Acts of 1991, is hereby further amended by
4 adding after the words: "chapter one hundred eighteen E" the
5 following words: — except as provided under section seventy of
6 chapter forty-four.