

By Messrs. Cusack of Arlington and Rogers of Framingham, petition of Andrew J. Rogers, Jr., and other members of the General Court for legislation to authorize the payment for administratively necessary days at certain hospitals. Health Care.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT AUTHORIZING PAYMENT FOR ADMINISTRATIVELY NECESSARY DAYS.

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 118E of the General Laws as
2 most recently amended by section 1 of the chapter 800 of the Acts
3 of 1969 is hereby amended by adding the following definition: —
4 (i) "Administratively necessary day," a non-medically necessary
5 day of care in an acute care institution."

1 SECTION 2. Chapter 118 of the General Laws as most recently
2 amended by Chapter 800 of the Acts of 1969 is hereby amended by
3 adding the following section: —

4 *Section 28.* Notwithstanding the provisions of any law to the
5 contrary, no payments shall be made by the department under
6 TITLE XIX for administratively necessary days in an acute care
7 institution except as authorized by department regulations for the
8 prevention of undue hardship and suffering; provided, that the
9 department shall reimburse acute care hospitals for the reasonable
10 cost of services appropriately rendered to patients during such
11 administratively necessary days except where the department of
12 public welfare has determined that there are existing facilities
13 available in an appropriate level care facility within a reasonable
14 distance to the hospital, and advises the hospital of the location of
15 such facility.

