

SB2157



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2157

Introduced 2/10/2023, by Sen. Kimberly A. Lightford

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-5e.1

Amends the Medical Assistance Article of the Illinois Public Aid Code. Specifies that the rate of reimbursement for inpatient psychiatric services for safety-net hospitals shall be no less than \$800 per day.

LRB103 30770 KTG 57254 b

A BILL FOR

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by
5 changing Section 5-5e.1 as follows:

6 (305 ILCS 5/5-5e.1)

7 Sec. 5-5e.1. Safety-Net Hospitals.

8 (a) A Safety-Net Hospital is an Illinois hospital that:

9 (1) is licensed by the Department of Public Health as
10 a general acute care or pediatric hospital; and

11 (2) is a disproportionate share hospital, as described
12 in Section 1923 of the federal Social Security Act, as
13 determined by the Department; and

14 (3) meets one of the following:

15 (A) has a MIUR of at least 40% and a charity
16 percent of at least 4%; or

17 (B) has a MIUR of at least 50%.

18 (b) Definitions. As used in this Section:

19 (1) "Charity percent" means the ratio of (i) the
20 hospital's charity charges for services provided to
21 individuals without health insurance or another source of
22 third party coverage to (ii) the Illinois total hospital
23 charges, each as reported on the hospital's OBRA form.

1 (2) "MIUR" means Medicaid Inpatient Utilization Rate
2 and is defined as a fraction, the numerator of which is the
3 number of a hospital's inpatient days provided in the
4 hospital's fiscal year ending 3 years prior to the rate
5 year, to patients who, for such days, were eligible for
6 Medicaid under Title XIX of the federal Social Security
7 Act, 42 USC 1396a et seq., excluding those persons
8 eligible for medical assistance pursuant to 42 U.S.C.
9 1396a(a)(10)(A)(i)(VIII) as set forth in paragraph 18 of
10 Section 5-2 of this Article, and the denominator of which
11 is the total number of the hospital's inpatient days in
12 that same period, excluding those persons eligible for
13 medical assistance pursuant to 42 U.S.C.
14 1396a(a)(10)(A)(i)(VIII) as set forth in paragraph 18 of
15 Section 5-2 of this Article.

16 (3) "OBRA form" means form HFS-3834, OBRA '93 data
17 collection form, for the rate year.

18 (4) "Rate year" means the 12-month period beginning on
19 October 1.

20 (c) Beginning July 1, 2012 and ending on December 31,
21 2026, a hospital that would have qualified for the rate year
22 beginning October 1, 2011 or October 1, 2012 shall be a
23 Safety-Net Hospital.

24 (c-5) Beginning July 1, 2020 and ending on December 31,
25 2026, a hospital that would have qualified for the rate year
26 beginning October 1, 2020 and was designated a federal rural

1 referral center under 42 CFR 412.96 as of October 1, 2020 shall
2 be a Safety-Net Hospital.

3 (d) No later than August 15 preceding the rate year, each
4 hospital shall submit the OBRA form to the Department. Prior
5 to October 1, the Department shall notify each hospital
6 whether it has qualified as a Safety-Net Hospital.

7 (d-5) The rate of reimbursement for inpatient psychiatric
8 services for safety-net hospitals shall be no less than \$800
9 per day.

10 (e) The Department may promulgate rules in order to
11 implement this Section.

12 (f) Nothing in this Section shall be construed as limiting
13 the ability of the Department to include the Safety-Net
14 Hospitals in the hospital rate reform mandated by Section
15 14-11 of this Code and implemented under Section 14-12 of this
16 Code and by administrative rulemaking.

17 (Source: P.A. 101-650, eff. 7-7-20; 101-669, eff. 4-2-21;
18 102-886, eff. 5-17-22.)