

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB26-1235 be amended as follows:

1 Amend printed bill, page 6, strike lines 2 through 15 and substitute:
2 **"25.5-5-428. Home- and community-based service provider**
3 **agencies - disclosure of direct care service cost ratio to administrative**
4 **cost ratio - definition.**
5 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
6 REQUIRES, "DIRECT CARE SERVICE COST TO ADMINISTRATIVE COST RATIO"
7 MEANS THE PERCENTAGE OF MEDICAID SERVICES REVENUE THAT A HOME-
8 AND COMMUNITY-BASED SERVICE PROVIDER AGENCY THAT RENDERS BASE
9 WAGE QUALIFYING SERVICES SPENDS ON DIRECT CARE WORKFORCE
10 COMPENSATION AND DIRECT CARE SERVICE RELATED TRAINING AND
11 SUPPORTS AS COMPARED TO ADMINISTRATIVE AND GENERAL EXPENSES.
12 (2) (a) THE STATE DEPARTMENT SHALL COLLECT THE FOLLOWING
13 INFORMATION FROM EACH HOME- AND COMMUNITY-BASED SERVICE
14 PROVIDER AGENCY THAT SERVES MORE THAN ONE HUNDRED MEMBERS:
15 (I) THE TOTAL MEDICAL ASSISTANCE PROGRAM REVENUE FOR THE
16 REPORTING PERIOD AND DATA REGARDING WORKFORCE CLASSIFICATION
17 AND SERVICE VOLUME;
18 (II) DIRECT CARE WORKER AND WORKFORCE COMPENSATION;
19 (III) TOTAL COMPENSATION PAID TO INDIVIDUALS PERFORMING
20 DIRECT CARE SERVICES, REPORTED SEPARATELY FOR EMPLOYEES AND
21 INDEPENDENT CONTRACTORS, INCLUDING:
22 (A) BASE WAGES OR SERVICE PAYMENTS;
23 (B) OVERTIME OR PREMIUM PAYMENTS;
24 (C) EMPLOYER-PAID PAYROLL TAXES AND LEGALLY REQUIRED
25 CONTRIBUTIONS; AND
26 (D) HEALTH, RETIREMENT, LEAVE, AND OTHER BENEFITS; BONUSES;
27 INCENTIVE PAYMENTS; AND DIFFERENTIAL PAY; AND
28 (IV) ALL COMPENSATION PAID DIRECTLY OR INDIRECTLY,
29 INCLUDING THROUGH AFFILIATED OR RELATED ENTITIES.
30 (b) A HOME- AND COMMUNITY-BASED SERVICE PROVIDER AGENCY
31 SHALL SUBMIT TO THE STATE DEPARTMENT ITS DIRECT CARE SERVICE COST
32 TO ADMINISTRATIVE COST RATIO AND THE INFORMATION REQUIRED
33 PURSUANT TO THIS SUBSECTION (2) NO LATER THAN SEPTEMBER 30, 2027.
34 (3) THE STATE DEPARTMENT SHALL SUBMIT A REPORT DETAILING
35 THE INFORMATION COLLECTED PURSUANT TO SUBSECTION (2) OF THIS
36 SECTION TO THE HOUSE OF REPRESENTATIVES AND SENATE HEALTH AND
37 HUMAN SERVICES COMMITTEES AND THE JOINT BUDGET COMMITTEE, OR ANY
38 SUCCESSOR COMMITTEES, NO LATER THAN DECEMBER 31, 2027.
39 (4) THE DATA COLLECTED AND PUBLISHED PURSUANT TO THIS
40 SECTION MUST BE USED SOLELY FOR LEGISLATIVE INFORMATIONAL
41 PURPOSES."

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