

*****Pending*****

AMENDMENT No. 1 TO AMENDMENT No. 1 PROPOSED TO

Senate Bill NO. 2537

By Representative(s) Robertson

1 AMEND by inserting the following paragraph after line 1293:
2 Notwithstanding any provision in this paragraph (c) to the
3 contrary, from and after July 1, 1999, any of the twenty-five (25)
4 beds in the DeSoto County facility that are prohibited by this
5 paragraph (c) from participation in the Medicaid program may be
6 certified for participation in the Medicaid program, and claims
7 may be submitted for Medicaid reimbursement for persons in any of
8 those twenty-five (25) beds, if the persons in those beds for
9 which Medicaid reimbursement claims are submitted are Mississippi
10 residents who were being treated in out-of-state psychiatric
11 residential treatment facilities on July 1, 1999, and if it will
12 be less expensive to the Medicaid program, as determined by the
13 Division of Medicaid, for those persons to receive psychiatric
14 residential treatment facility services in those beds in the
15 DeSoto County facility than for the persons to receive such
16 services in out-of-state beds. In addition, from and after July
17 1, 1999, any of those twenty-five (25) beds in the DeSoto County
18 facility may be certified for participation in the Medicaid
19 program, and claims may be submitted for Medicaid reimbursement
20 for persons in any of those twenty-five (25) beds, if the persons
21 in those beds for which Medicaid reimbursement claims are
22 submitted are persons who reside in Mississippi within a one
23 hundred-mile radius of the DeSoto County facility, or are persons

24 who are first placed in psychiatric residential treatment facility
25 services by the youth courts or the Department of Human Services
26 after June 30, 1999, and are placed in the DeSoto County facility,
27 or are persons who are referred by other health care providers to
28 the DeSoto County facility for treatment after June 30, 1999.
29 However, the youth courts and the Department of Human Services
30 shall not place any person who is eligible for Medicaid in any of
31 those twenty-five (25) beds in the DeSoto County facility unless
32 there are no other psychiatric residential treatment facility beds
33 certified for Medicaid reimbursement that are available in
34 Mississippi for such placement on the date that the placement is
35 made, but the youth courts and the Department of Human Services
36 shall consider placing persons who need psychiatric residential
37 treatment facility services and who are eligible for Medicaid in
38 any of those twenty-five (25) beds in the DeSoto County facility
39 before placing the persons in any out-of-state facility. In
40 addition, the DeSoto County facility shall not be authorized to
41 accept any placement by the youth courts or the Department of
42 Human Services of any person who is eligible for Medicaid and who
43 will receive treatment in any of those twenty-five (25) beds, and
44 shall not accept any referral by a health care provider of any
45 person who is eligible for Medicaid and who will receive treatment
46 in any of those twenty-five (25) beds, unless there are no other
47 psychiatric residential treatment facility beds certified for
48 Medicaid reimbursement that are available in Mississippi for such
49 placement or treatment at the time that the person is admitted to
50 the DeSoto County facility. A written or oral representation made
51 by the director or administrator of a psychiatric residential
52 treatment facility to the director or administrator of the DeSoto
53 County facility or his designee that the facility has no
54 psychiatric residential treatment facility beds certified for
55 Medicaid reimbursement that are available at the time of the

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56 representation shall be a sufficient determination by the DeSoto
57 County facility that there are no psychiatric residential
58 treatment facility beds certified for Medicaid reimbursement
59 available at that facility for placement or treatment at the time
60 a person is admitted to the DeSoto County facility, if the
61 representation is recorded and maintained in writing by the DeSoto
62 County facility and the person is admitted to the DeSoto County
63 facility within five (5) days after the representation is made.
64 The provisions of this paragraph regarding participation in the
65 Medicaid program for any of those twenty-five (25) beds in the
66 DeSoto County facility shall be fully binding on any subsequent
67 owner of the DeSoto County facility if the ownership of the
68 facility is transferred at any time after July 1, 1999.

69

70 AMEND FURTHER the title on line 9 by inserting the following
71 after the semicolon:

72 TO AUTHORIZE CERTAIN BEDS AT A PSYCHIATRIC RESIDENTIAL TREATMENT
73 FACILITY IN DESOTO COUNTY TO BE CERTIFIED FOR PARTICIPATION IN
74 MEDICAID UNDER CERTAIN CONDITIONS;