

Medical Assistance Program recipients throughout the State may be assured access to nursing homes offering comparable quality of care either through implementing the authority of the Health Services Cost Review Commission or by altering the authority of the Medical Assistance Program; requesting the committee to report to the General Assembly prior to a certain time; setting out the membership of the committee; and specifying a source for necessary support and secretarial services.

~~WHEREAS, The rates charged by nursing homes should bear a reasonable relationship to the cost of providing services; and~~

~~WHEREAS, Section 568H of Article 43 Health, authorizes the Health Services Cost Review Commission to review the rates charged by nursing homes; and~~

~~WHEREAS, The Health Services Cost Review Commission is not now exercising its authority with regard to nursing homes; now, therefore, be it~~

WHEREAS, An acute shortage of nursing home beds is developing in Maryland and it is possible that Medicaid funds could expand the capacity to accommodate persons in need of this care; and

WHEREAS, The rates charged by nursing homes should bear a reasonable relationship to the cost of providing services; and

WHEREAS, The costs of providing services of equal quality differ in various regions of the State; and

WHEREAS, The establishment, in the annual budget, of a uniform limit throughout the State upon the per diem payment the Medical Assistance Program is permitted to make to nursing homes has reduced the availability of quality care below acceptable levels in high cost areas of the State; and

WHEREAS, Section 568U of Article 43 - Health, authorizes the Health Services Cost Review Commission to review the rates charged by nursing homes; however, this section as it applies to nursing homes further provides that the Commission may not set rates until State law authorizes the Medical Assistance Program of the Department of Health and Mental Hygiene to reimburse at the Commission rates; and

WHEREAS, The Health Services Cost Review Commission, as a result of the limitation imposed on it by Section 568U(d) of Article 43 - Health, has not fully exercised its statutory authority with regards to nursing homes; and

WHEREAS, The Department of Fiscal Services advises that certain actions will be required to implement the Health