

Senate Bill 483

By: Senators Brass of the 28th and Burke of the 11th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to
2 provide for certain Medicaid reimbursement for patients treated pursuant to a behavioral
3 rehabilitation joint venture; to provide that proceeds from the rural tax credit program
4 received by a behavioral rehabilitation joint venture is not counted against a hospital's cap;
5 to provide for definitions; to provide for related matters; to provide for a short title; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as the "Behavioral Rehabilitation and Stability
10 Services Act."

11 **SECTION 2.**

12 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended in
13 Chapter 2, relating to the Department of Community Health, by adding a new Code section
14 to read as follows:

15 "31-2-17.

16 (a) As used in this Code section, the term:

17 (1) 'Behavioral rehabilitation joint venture' means an agreement between a public or
18 private general acute care hospital which has vacant beds and an institution for mental
19 diseases to authorize the institution for mental diseases to utilize the vacant beds as
20 behavioral rehabilitation swing beds for the treatment of its patients and which agreement
21 includes the following provisions:

22 (A) Addressing the distribution of liability between the parties;

23 (B) Providing for payment to the rural hospital in the same fixed amount per patient,
24 regardless of payor source or indigent status of the patient using any such behavioral
25 rehabilitation swing bed; and

26 (C) Providing that the rural hospital is responsible for submitting billing and receiving
27 reimbursement from payors.

28 (2) 'Behavioral rehabilitation swing beds' means vacant inpatient beds in a hospital in a
29 rural county, as defined in Code Section 31-6-2, which may be reimbursed under
30 Medicaid for furnishing post-hospital extended care services to Medicaid beneficiaries.

31 (3) 'Institution for mental diseases' has the same meaning as in 42 U.S.C. Section 1396d.

32 (b) The department shall provide Medicaid reimbursement at 100 percent of cost for any
33 Medicaid patients treated by a behavioral rehabilitation joint venture in its second year of
34 operation as such behavioral rehabilitation joint venture.

35 (c) Any contributions received by a behavioral rehabilitation joint venture shall not count
36 against the aggregate limit cap of \$4 million contained in subparagraph (e)(2)(A) of Code
37 Section 48-7-29.20."

38 **SECTION 3.**

39 All laws and parts of laws in conflict with this Act are repealed.