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State/Territory Name: Alabama

State Plan Amendment (SPA) #: 16-0007

This file contains the following documents in the order listed:

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S2-26-12
Baltimore, MD 21244-1850

April 25, 2017

Financial Management Group

Ms. Stephanie McGee Azar
Commissioner
Alabama Medicaid Agency
P.O. Box 5624
501 Dexter Avenue
Montgomery, Alabama 36103

Re: Alabama State Plan Amendment 16-0007

Dear Ms. Azar:

We have reviewed the proposed amendment to Attachment 4.19-A and 4.19-B of your Medicaid State plan submitted under transmittal number (TN) 16-007. Effective October 1, 2016 this amendment proposes to revise the state plan to reimburse for inpatient and outpatient hospital services. Specifically, the state will continue to pay hospitals for services provided to Medicaid recipients for inpatient and outpatient services utilizing the reimbursement methods in effect on September 30, 2016.

We conducted our review of your submittal according to the statutory requirements at sections 1902(a), 1902(a)(13), 1902(a)(30), 1903(a) and 1923 of the Social Security Act and the implementing Federal regulations at 42 CFR Part 447. We have found that the proposed changes in payment methodology comply with applicable requirements and therefore have approved them with an effective date of October 1, 2016. We are enclosing the CMS-179 and the amended approved plan pages.

If you have any questions, please call Stanley Fields at (502) 223-5332.

Sincerely,

//s//

Kristin Fan
Director

DEPARTMENT OF HEALTH AND HUMAN SERVICES
HEALTH CARE FINANCING ADMINISTRATION

FORM APPROVED
OMB NO. 0938-0193

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL

FOR: HEALTH CARE FINANCING ADMINISTRATION

1. TRANSMITTAL NUMBER: AL-16-0007

2. STATE: Alabama

3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)

TO: REGIONAL ADMINISTRATOR
HEALTH CARE FINANCING ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE
October 1, 2016

5. TYPE OF PLAN MATERIAL *(Check One)*:

☐ NEW STATE PLAN ☐ AMENDMENT TO BE CONSIDERED AS NEW PLAN ☒ AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT *(Separate Transmittal for each amendment)*

6. FEDERAL STATUTE/REGULATION CITATION:
42 C.F.R. 430 Subpart B

7. FEDERAL BUDGET IMPACT:
FFY 2017 $52,720.28
FFY 2018 $25,165,540.17

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:

Attachment 4.19-A, Pages 3A, 6H, 6I, 6I.2, 6I.3, 6I.5, 6I.6, 6J, 6K, 8D, and 8E.
Attachment 4.19-B, Pages 8.2, 8.3, 8.3.a, and 8.3.b.

9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT *(If Applicable)*:
Attachment 4.19-A, Pages 3A, 6H, 6I, 6I.2, 6I.3, 6I.5, 6I.6, 6J, 6J.1, 6J.2, 6K, 8D, 8E, and 8E.1.
Attachment 4.19-B, Pages 8.2, 8.3, 8.3.a.1, 8.3.a.2, 8.3.a.3, and 8.3.b.

10. SUBJECT OF AMENDMENT:
The purpose of this amendment is to extend the State Plan Amendment for Hospital Services and Reimbursement for one year using the same cost reimbursement methodology as the last three years.

11. GOVERNOR'S REVIEW *(Check One)*:
☐ GOVERNOR'S OFFICE REPORTED NO COMMENT
☐ COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
☐ NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL
☒ OTHER, AS SPECIFIED: Governor's designee on file via letter with CMS

12. SIGNATURE OF STATE AGENCY OFFICIAL:
//s//

13. TYPED NAME:
Stephanie McGee Azar

14. TITLE:
Commissioner

15. DATE SUBMITTED:

16. RETURN TO:
Stephanie McGee Azar
Commissioner
Alabama Medicaid Agency
501 Dexter Avenue
Post Office Box 5624
Montgomery, Alabama 36103-5624

FOR REGIONAL OFFICE USE ONLY

17. DATE RECEIVED:
11/14/16

18. DATE APPROVED: 04/25/17

PLAN APPROVED – ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL:
10/01/16

20. SIGNATURE OF REGIONAL OFFICIAL:
//s//

21. TYPED NAME:
Kristin Fan

22. TITLE:
Director FMG

23. REMARKS:

Payment for all out-of-state outpatient hospital services will be from approved rates based on procedure codes. The Agency's rates were set as of October 1, 2009 and are effective for services on or after that date.

Except as otherwise noted in the plan, state developed fee schedule rates are the same for both governmental and private providers and the fee schedule and any annual/periodic adjustments to the fee schedule are published on the Alabama Medicaid Agency's website as follows: http://www.medicaid.alabama.gov/CONTENT/6.0_Providers/6.6_Fee_Schedules.aspx

Certified emergency room visits must be properly documented by the attending licensed physician, nurse practitioner or physician assistant in the medical record. The costs of providing additional care for all non-certified emergency room visits shall be accounted for and reported to Alabama Medicaid as a cost of providing care to Medicaid eligible recipients.

c. Upper Payment Limit

For the period from October 1, 2016, through September 30, 2017, in addition to any other Medicaid covered outpatient service base payments paid to hospitals for outpatient hospital services to Medicaid patients, each eligible hospital, except for payments to hospitals as outlined in (8). below, shall receive outpatient hospital access payments each state fiscal year. The outpatient hospital access payment shall be calculated as follows:

(1.) Hospitals cost reports with a fiscal year ending during the rate year one year prior to the beginning of the rate year (ex. Cost reports ending in rate year 2012 would be used for rate year beginning October 1, 2013) will be used to determine the upper payment limit.

(2.) From the CMS Form 2552-10 cost reporting forms, an outpatient ancillary cost to charges ratio was calculated as follows:

a. Total cost for each of the following cost centers on Worksheet B Part I Column 24 are obtained: CMS Lines 50-76.99 and 90-93.99 excluding line 60.
b. Outpatient charges for each of the following cost centers on Worksheet C Part I Column 7 are obtained: CMS Line 50-76.99 and 90-93.99 excluding line 60.
c. Total charges for each of the following cost centers on Worksheet C Part I Column 8 are obtained: CMS Line 50-76.99 and 90-93.99 excluding line 60.
d. Outpatient charges for each CMS Line in paragraph b. will be divided by the total charges for each CMS Line in paragraph c. to determine an outpatient percentage of charges.
e. The total cost for each CMS Line in paragraph a. will be multiplied by the outpatient percentage of charges for each CMS Line in paragraph d. to determine the outpatient cost.
f. Total outpatient cost determined in paragraph e. Will be divided by total outpatient charges from paragraph b. to determine an outpatient ancillary cost to charge ratio.

(3.) Total Medicaid hospital outpatient covered charges were obtained from the Alabama Medicaid MMIS system for claims incurred for services for each hospitals cost reporting period which meet the definition of a paid claim for SFY 2017. Consistent with paragraph (1.) above, the applicable cost reporting period for each hospital will be the cost report with a fiscal year ending during the rate year one year prior to the rate year (ex. Cost reports ending in rate year 2012 would be used for rate year beginning October 1, 2013.)

(4.) Total Medicaid outpatient charges in Step (3) are multiplied by the cost to charge ratio calculated in Step (2) to determine Medicare cost of Medicaid services for each hospital's cost report year. The Medicaid cost will be increased by the Medicaid outpatient percentage of CRNA cost removed on Worksheet A-8. The Medicaid outpatient percentage is determined by dividing total Medicaid outpatient charges by total charges for the hospital. The Medicaid cost amount will be multiplied by an increase in cost due to the CMS Market basket Inpatient Hospital PPS (http://www.cms.gov/Research-Statistics-Data-and-Systems/Statistics-Trends-and-Reports/MedicareProgramRatesStats/Downloads/mktbskt-actual.pdf) and a separate utilization increase based on change in paid ICN claim counts between the State Fiscal Year ended during the rate year used for cost reports and the preceding State Fiscal Year for outpatient hospitals in Alabama. Both inflation and utilization will be applied from the mid-point of cost report year to the mid-point of rate year.

(5.) The Medicaid cost for the State Fiscal Year being calculated will be increased by the Medicaid outpatient percentage of provider assessment for the State Fiscal Year being calculated for each privately owned and operated hospital. The Medicaid outpatient percentage is determined by dividing total Medicaid outpatient charges from the cost reports outlined in paragraph (2) by total charges for the hospital from the cost reports outlined in paragraph (2).

The amount calculated in this paragraph will constitute aggregate Upper Payment Limit for State owned and operated hospitals and Non-state government owned and operated hospitals as set forth in 42 CFR 447.321. The amount calculated in this paragraph for privately owned and operated hospitals will constitute the Upper Payment Limit for privately owned and operated hospitals as set forth in 42 CFR 447.321.

(6) The Medicaid allowed amount for claims included in Step (3) was obtained from the MMIS to constitute the Medicaid payments for cost reporting periods ending in the rate year one year prior to the beginning of the rate year. The utilization increase identified in paragraph (4) and the cost report factors in paragraph (4) was applied to the Medicaid allowed amount to standardize all hospital payments to the State Fiscal Year ending in the cost reporting year. The standardized Medicaid payments for mid-point of the State Fiscal Year the cost reporting year ends during were multiplied by the utilization increase amount and adjustment factor in paragraph (5) to determine the Medicaid payments for the rate year and the preceding rate year.

(7) The difference between Medicare cost of Medicaid services determined in Step (5) and the Medicaid payments in Step (6) will be the Upper Payment Limit Gap for each hospital type.

(8) Privately owned acute care hospitals, that meet the criteria in (a) and (b) below, shall be paid an enhanced payment not to exceed an amount as may be set annually by Medicaid based on amounts paid in prior years and consistent with paragraph (9) and subject to any applicable limits related to the individual hospital's billed charges under provisions of Medicare reimbursement regulations:

a. The hospital must be located in a county with a population greater than 200,000 (according to the latest U.S. census), and
b. the hospital must participate in the county's largest city's outpatient/emergency room assistance program.

The enhancement payment under this section for the fiscal year ending September 30, 2017 is zero.

(9) Each hospital, excluding private free-standing psychiatric hospitals, may receive outpatient access payments. Additionally, qualified hospitals under paragraph (8) shall receive enhancement payments. The total amount of outpatient access payments and enhancements payments shall not exceed the aggregate hospital type Upper Payment Limit Gap set forth in paragraph (7).

a. State owned and operated hospitals' outpatient access payments will be distributed first by removing any negative Upper Payment Limit Gap then set University of South Alabama Women and Children's at 115% of UPL. All remaining access will be allocated based on the hospitals Upper Payment Limit Gap in relation to the total Upper Payment Limit Gap.

b. Non state government owned or operated hospitals' outpatient access payments will be distributed first by removing any negative Upper Payment Limit Gap then allocating remaining access based on the hospitals Upper Payment Limit Gap in relation to the total Upper Payment Limit Gap.

c. Privately owned and operated hospitals' outpatient access payments will be distributed first by removing any negative Upper Payment Limit Gap then reallocate Access necessary to cover the enhancement payments per paragraph 9. The remaining access will be allocated based on the hospitals Upper Payment Limit Gap in relation to the total Upper Payment Limit Gap.

(10) Access payments are paid quarterly.

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Effective Date: 10/01/16

(m) Access Payment: A supplemental payment by the Medicaid program to an eligible hospital for inpatient and outpatient hospital care provided to a Medicaid recipient.

(n) Hospital: For purposes of Medicaid base, access and DSH payments for the period from October 1, 2013, through September 30, 2017, a facility, which is licensed as a hospital under the laws of the State of Alabama, provides 24-hour nursing services, and is primarily engaged in providing, by or under the supervision of doctors of medicine or osteopathy, inpatient services for the diagnosis, treatment, and care or rehabilitation of persons who are sick, injured, or disabled.

(o) Medicare Cost Report: The electronic cost report (ECR) filing of the CMS Form-2552-96 and 2552-10 Hospital and Hospital Health Care Complex Cost Report, as defined in CMS Provider Reimbursement Manual (PRM) 15-II (hereinafter referred to as "CMS Form 2552").

(p) Privately Owned and Operated Hospital: For purposes of Medicaid base per diem, supplemental and DSH payments for the period from October 1, 2013, through September 30, 2016, a hospital in Alabama other than:

(1) Any hospital that is owned and operated by the federal government;

(2) A hospital that is a state agency or unit of state government, including without limitation a hospital owned by a state agency or a state university;

(3) A hospital created and operating under the authority of a governmental unit which has been established as a public corporation pursuant to Chapter 21 of Title 22, Chapter 51 of Title 22, or Chapter 95 of Title 11, or a hospital otherwise owned and operated by a unit of local government, Alabama Code of 1975 22-21-1.

(4) A hospital that limits services to patients primarily to rehabilitation services as authorized by Alabama Administrative Code 410-2-4-.08; or

(5) A hospital defined as a Long Term Acute Care Hospital by Alabama Administrative Code 410-2-4-.02(8).

(q) Non State Government Owned and Operated Hospital: For purposes of Medicaid base per diem payments, supplemental payments and DSH payments for the period from October 1, 2013, through September 30, 2017, a hospital in Alabama created or operating under the authority of a governmental unit which has been established as a public corporation pursuant to Ala. Code, Chapter 21 of Title 22 or Chapter 95 of Title 11, or a hospital otherwise owned or operated by a unit of local government pursuant to Alabama Code of 1975 22-21-1.

(r) State Owned or Operated Hospital: For purposes of Medicaid base per diem payments, quarterly adjustment and DSH payments for the period from October 1, 2013, through September 30, 2017, a hospital in Alabama that is a state agency or unit of state government, including without limitation a hospital owned or operated by a state agency or a state university.

(s) Rehab Hospitals and Long Term Acute care hospitals referenced in paragraph (p) (4) and (p)(5) above are not included in UPL or reimbursed by Medicaid for base payments, access payments under section 4.19-A.

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(j) For the period October 1, 2016, through September 30, 2017, each hospital shall receive an inpatient Medicaid base (per diem) payment, in accordance with the following:

(1) Medicaid shall pay each hospital as a base (per diem) amount for state fiscal year 2017 the total inpatient payments made by Medicaid to each hospital from all sources except DSH payments during state fiscal year 2007, divided by the total paid inpatient hospital days incurred by that hospital in state fiscal year 2007, multiplied by the inpatient hospital days incurred by each hospital during fiscal year, 2017.

(2) Base (per diem) payments for state fiscal year 2017 will not be made to any non state government owned or operated Hospital owned, state owned or operated or privately owned or operated hospital that was in operation during the hospital's fiscal year ending in 2009 that ceases to operate as a hospital, beginning on the date that the facility ceases to operate as a hospital.

(3) Quarterly access payments as outlined in paragraph (k) and (l) on pages 6I through 6I.5 will be distributed as follows:

a. State owned and operated hospitals' inpatient access payments will be distributed first by removing any negative Upper Payment Limit Gap, reallocate any access payments to ensure that state owned mental health facility does not exceed OBRA payments, reallocate access to set University of South Alabama Women and Children's at 115% of UPL, and finally reduce any access payments to ensure a payment over billed amount is not made. All remaining access will be allocated based on the hospitals Upper Payment Limit Gap in relation to the total Upper Payment Limit Gap.

b. Non state government owned or operated hospitals' inpatient access payments will be distributed first by removing any negative Upper Payment Limit Gap then reduce any access payments to ensure a payment over billed amount is not made. All remaining access will be allocated based on the hospitals Upper Payment Limit Gap in relation to the total Upper Payment Limit Gap.

c. Privately owned and operated hospitals' inpatient access payments will be distributed first by paying free standing psychiatric hospitals $177 per 2012 Medicaid day per paragraph (n) on page 6J, then removing any negative Upper Payment Limit Gap, then paying non-qualifying DSH hospitals a per day rate per paragraph (m) (2) of page 6I.6, finally reduce any access payments to ensure a payment over billed amount is not made. All remaining access will be allocated based on the hospitals Upper Payment Limit Gap in relation to the total Upper Payment Limit Gap.

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(k) For the period October 1, 2016, through September 30, 2017, the amount available for inpatient hospital access payments for state owned or operated hospitals shall be calculated as follows:

(1) Data from hospital's CMS Form 2552-10 cost reports that ended in the rate year one year prior to the beginning of the rate year (ex. Cost reports ending in rate year 2015 for the rate year beginning October 1, 2016) will be used to determine the upper payment limit.

(2) A Medicare payment to charge ratio was determined from each cost report by obtaining the following information from the CMS Form 2552-10 cost reports for each hospital:

(a) Medicare Payments were obtained from the following CMS Lines:

1. Acute Care Services: Sum of Worksheet E Part A Lines 59, 68, 69, and 70.
2. Psych Hospitals: Sum of Worksheet E-3 Part II Lines 16, 27, 28, 29, and 30.
3. Children's Hospitals: Sum of Worksheet E-3 Part I 4, 15, and 17.
4. Critical Access Hospitals: Sum of Worksheet E-3 Part V Lines 5, 6, and 18.
5. Sub-provider Psych units: Sum of Worksheet E-3 Part II Lines 16, 27, 28, 29 and 30.
6. Sub-provider Rehab units: Sum of Worksheet E-3 Part III Lines 17, 28, 29, 30, and 31.

(b) Medicare Charges were obtained from the following CMS Lines:

1. Acute Care Services: Sum of Worksheet D-3 Column 2 Lines 30-35, 43 and 200.
2. Psych Hospitals: Sum of Worksheet D-3 Column 2 Lines 40 and 200.
3. Children's Hospitals: Sum of Worksheet D-3 Column 2 Lines 30-35, 43 and 200.
4. Critical Access Hospitals: Sum of Worksheet D-3 Column 2 Lines 30-35, 43 and 200.
5. Sub-provider Psych units: Worksheet D-3 Column 2 Line 200 plus Worksheet D-1 Line 28 times the Medicaid utilization for the applicable sub-provider (Days per Worksheet S-3 Part I Line 17 Column 7 ÷ Worksheet S-3 Part I Line 17 Column 8).
6. Sub-provider Rehab units: Worksheet D-3 Column 2 Line 200 plus Worksheet D-1 Line 28 times the Medicaid utilization for the applicable sub-provider (Days per Worksheet S-3 Part I Line 17 Column 7 ÷ Worksheet S-3 Part I Line 17 Column 8).
7. Medicare organ acquisition charges (revenue code 081X Organ Acquisition) from Medicare Provider Statistical & Reimbursement (PS&R) Report obtained from provider.
8. Any additional Medicare charges related to organ acquisition billed to the Medicare Administrative Contractor, or otherwise.
9. Any additional charges related to denied encounter charges.

(3) The payment to charge ratio calculated in Step (2) will be multiplied by the Medicaid hospital charges obtained from the State's MMIS system for each hospital's discharges during the applicable cost report ended in the rate year one year prior to the beginning of the rate year for claims which would be covered during SFY 2017 to determine the amount Medicare would have paid for Medicaid services.

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(6) The Medicaid allowed amount, for claims included in Step (3), was obtained from the MMIS for cost reporting periods ending in the rate year one prior to the beginning of the rate year. The utilization increase identified in Step (4) and the cost report factors in Step (4) was applied to the Medicaid allowed amount to standardize all hospital payments to the mid-point of the State Fiscal Year the cost reporting year ends during. The standardized Medicaid payments for State Fiscal Year ending in the cost reporting year were multiplied by the utilization increase and adjustment factor amount in Step (5) to determine the Medicaid payments for rate year and the preceding rate year.

(7) The difference between Medicare Payments for Medicaid Services determined in Step (5) and the Medicaid payments in Step (6) will be the Upper Payment Limit Gap amount for State owned and operated hospitals. The Upper Payment Limit Gap will represent the maximum amount the State shall pay for Access payments to State owned and operated hospitals.

(l) For the period October 1, 2016, through September 30, 2017, the amount available for inpatient hospital access payments for privately owned and operated hospitals and non-state government owned and operated hospitals shall be calculated as follows:

(1) Data from hospital's CMS Form 2552-10 cost reports that ended in the rate year one year prior to the beginning of the rate year (ex. Cost reports ending in rate year 2015 for the rate year beginning October 1, 2016) will be used to determine the upper payment limit.

(2) A routine inpatient cost to charge ratio and an inpatient ancillary cost to charge ratio are determined from each cost report by obtaining the following information from the CMS Form 2552-10 cost reports for each hospital:

(a.) Inpatient routine cost to charge ratio

(i.) Total cost will be accumulated from Worksheet B Part I Column 24 for Lines 30-43.

(ii.) Total charges will be accumulated from Worksheet C Part I Column 6 for CMS Lines 30-43.

(iii.) Total cost per paragraph (i) will be divided by total charges per paragraph (ii) to determine the inpatient routine cost to charge ratio for each hospital.

(b.) Inpatient ancillary cost to charge ratio

(i.) Total cost for each of the following centers on Worksheet B Part I is obtained: CMS Lines 50-76.99 and 90-93.99.

(ii.) Inpatient charges for each of the following cost centers on Worksheet C Part I Column 6 are obtained: CMS Lines 50-76.99 and 90-93.99.

(iii.) Total charges for each of the following cost centers on Worksheet C Part I Column 8 are obtained: CMS Line 50-76.99 and 90-93.99.

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(iv.) Inpatient charges for each CMS Line in paragraph (ii) will be divided by the total charges for each CMS Line in paragraph (iii) to determine an inpatient percentage of charges.

(v.) The total cost for each CMS Line in paragraph (i) will be multiplied by the inpatient percentage of charges for each CMS Line in paragraph (iv) to determine the inpatient cost.

(vi.) Total inpatient cost determined in paragraph (v) will be divided by total inpatient charges from paragraph (ii) to determine an inpatient ancillary cost to charge ratio.

(c.) For privately owned and operated psych hospitals that do not file a Medicare cost report, the Medicaid submitted cost report will be used as follows:

(i.) Total inpatient cost Per Medicaid Worksheet C Column 2 Line 150 and Line 156 through Line 196.

(ii.) Total inpatient charges Per Medicaid Worksheet C Column 1 Line 150 and Line 156 through Line 196.

(iii.) Total inpatient cost to charge ratio will be paragraph (i) divided by paragraph (ii).

(3) Inpatient charges will be obtained from the State's MMIS system for each hospital's discharges during the applicable cost report ended in the rate year one year prior to the beginning of the rate year for claims which would be covered during SFY 2017. The inpatient charges will be obtained at the revenue code level.

(4) Inpatient charges for each hospital with revenue codes 001 through 219 will be multiplied by the inpatient routine cost to charge ratio determined in paragraph (2)(a)(iii) for each hospital to determine the inpatient routine cost.

(i.) For privately owned and operated psych hospitals that do not file a Medicare cost report, the MMIS inpatient charges will be multiplied by the cost to charge ratio in paragraph (c) to determine inpatient cost for privately owned and operated psych hospitals.

(5) Inpatient charges for each hospital with revenue codes 220 through 999 will be multiplied by the inpatient ancillary cost to charge ratio determined in paragraph (2)(b)(vi) for each hospital to determine the inpatient ancillary cost.

(6) Total inpatient Medicaid cost will be the total of paragraph (4) and (5). The total inpatient Medicaid cost will have the following amounts added:

(a.) The Medicaid cost will be increased by the Medicaid inpatient percentage of CRNA cost removed on Worksheet A-8 for each hospital. The Medicaid inpatient percentage is determined by dividing total Medicaid inpatient charges by total charges for the hospital.

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(8) The Medicaid cost will be increased by the Medicaid inpatient percentage of the provider assessment paid by each hospital for the State Fiscal Year being calculated. The Medicaid inpatient percentage is determined by dividing total Medicaid inpatient charges from the cost report identified in paragraph (1) by total charges for the hospital from the cost report identified in paragraph (1).

The cost calculated in this paragraph will be the Upper Payment Limit amount set forth in 42 CFR 447.272 for privately owned and operated hospitals. An aggregate Upper Payment Limit amount will be established for each of the following hospital types: Privately owned and operated hospitals and Non-state governmental owned and operated hospitals.

(9) The Medicaid allowed amount for claims included in paragraph (3) was obtained from the MMIS to constitute the Medicaid payments for cost reporting periods ending in the rate year one year prior to the beginning of the rate year. The utilization increase identified in paragraph (7) and the cost report factors in paragraph (7) was applied to the Medicaid allowed amount to standardize all hospital payments to the mid-point of the State Fiscal Year including the ending date of the cost reporting year. The standardized Medicaid payments for State Fiscal Year ending in the cost reporting year were multiplied by the utilization increase amount and adjustment factor in paragraph (8) to determine the Medicaid payments for the rate year and the preceding rate year.

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(10) The difference between Medicare cost for Medicaid Services determined in paragraph (8) on page 6I.5 and the Medicaid payments in paragraph (9) on page 6I.5 for the rate year will be the Upper Payment Limit Gap that will be used as the limit to the amount of Access payments outlined in paragraph (m) and (n) below.

(m) For the period October 1, 2016, through September 30, 2017, in addition to any other funds paid to hospitals for inpatient hospital services to Medicaid patients, each eligible hospital, excluding free-standing psychiatric hospitals, shall receive inpatient hospital access payments each fiscal year. Inpatient hospital access payments shall include the following:

(1) An inpatient access payment to hospitals determined on a quarterly basis by the Alabama Medicaid Agency that complies with paragraph (4) below. Aggregate hospital access payments for each category of hospitals will be the amount calculated in paragraph (k)(7) for state owned or operated hospitals and the amount calculated in paragraph (l)(10) for non state government owned and operated hospitals and private hospitals. Annual amount to be paid for each State Fiscal Year will be made as indicated in paragraph (3) on page 6H.

(2) A payment for private hospitals that do not qualify for disproportionate share payments, calculated as follows:

(a.) For hospitals with uninsured uncompensated care costs greater than $800,000 in state fiscal year 2007, a payment equal to $400 per Medicaid inpatient day.

(b.) For hospitals with uninsured uncompensated care costs less than $800,000 in state fiscal year 2007, a payment equal to $100 per Medicaid inpatient day.

(3) These additional inpatient hospital access payments shall be made on a quarterly basis.

(4) The inpatient hospital access payments shall not exceed the annual applicable hospital inpatient upper payment limit Gap for each category of hospitals submitted to CMS.

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(n) For the period October 1, 2016, through September 30, 2017, in addition to any other funds paid to private free-standing psychiatric hospitals for inpatient hospital services to Medicaid patients, qualifying hospitals shall receive a private free-standing psychiatric hospital access payment equal to $225 per Medicaid inpatient day paid based on the Medicaid days per the cost report ending during the State Fiscal Year 2014.

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Effective Date: 10/01/16

(f) For the period from October 1, 2016, to September 30, 2017, the Alabama Medicaid Agency shall appropriate and expend the full disproportionate share allotment to hospitals under Section 1923(f) (3) of the Social Security Act (the Act) in a manner consistent with the hospital-specific DSH limits under section 1923(g) of the Act.

(1) Payments to disproportionate share hospitals shall be made to all hospitals qualifying for disproportionate hospital payments under Section 1923(d) and 1923 (b) of the Social Security Act.

(2) Medicaid shall pay qualifying non-state government and state owned disproportionate share hospitals an amount up to each hospital's allowable uncompensated care cost under the hospital specific DSH limit in Section 1923(g) of the Social Security Act as outlined in Exhibit C. State owned institutions for mental disease shall receive no more than the IMD allotment.

(3) Qualifying non-state government and state owned disproportionate share hospitals as defined on Attachment 4.19-A Page 3A shall receive an amount such that the sum of inpatient hospital payments, outpatient payments, and disproportionate share hospital cost do not exceed each hospital's DSH limit under 1923(g) of the Social Security Act. Medicaid cost for these services shall be allowable cost determined in accordance with the Medicare Principles of Reimbursement, the applicable CMS 2552 and the DSH final rule effective January 19, 2009 which states on page 77913 "(t)he treatment of inpatient and outpatient services provided to the uninsured and the underinsured…must be consistent with the definition of inpatient and/or outpatient services under the approved Medicaid State Plan."

(4) Eligible hospitals administered by the Department of Mental Health shall be paid an amount of DSH funds not to exceed the DSH IMD Allotment published annually by CMS.

(5) The disproportionate share hospital allotment remaining after disproportionate share hospital payments have been made to non-state government and state owned hospitals shall be paid to private hospitals, as defined on Attachment 4.19-A Page 3A, using their available cost in relation to total private cost. Disproportionate share hospital payments shall be paid to eligible private hospitals who do not exceed their estimated disproportionate share hospital payment limit calculated at the beginning of the State Fiscal Year.

(6) An initial disproportionate share hospital payment to each hospital shall be made during the first month of the state fiscal year. Additional disproportionate share hospital payments may be made during the fiscal year based on analysis of payments during the fiscal year and changes in Federal allocations. Payments to privately owned and operated hospitals will be made as indicated in paragraph (5) on page 8D.

(7) As required by Section 1923(j) of the Social Security Act related to auditing and reporting of DSH hospital payments, Alabama Medicaid will implement procedures to comply with DSH Hospital Payments final rule issued in the December 19, 2008, Federal Register, with effective date of January 19, 2009, to ensure that the hospital specific DSH limits have not been exceeded.

Beginning with the audit of the Medicaid State Plan Rate Year ended September 30, 2011, the definition of individuals who have no health insurance (or other source of third party coverage) will be based on the definition published in the December 3, 2014, Federal Register, with an effective date of December 31, 2014.

The Medicaid Agency will recoup funds from any hospital that exceeded its hospital specific DSH limit as a result of audits or other corrections and shall redistribute to other eligible hospitals within the state, provided each hospital remains below their hospital specific DSH limit in the following manner:

(a) The amount of the DSH payment made to the hospital will be recouped by the Alabama Medicaid Agency to the extent necessary to reduce the DSH payment to an allowable amount.

(b) Amounts recouped from privately owned and operated hospitals with payments in excess of the audited hospital specific DSH limits, will be placed into a redistribution pool. Redistribution will be made to remaining privately owned and operated hospitals that do not exceed their hospital specific DSH limit. The allocation will be made based on a percent to total basis of these remaining hospitals available uncompensated care. No privately owned and operated hospital shall exceed its hospital specific DSH limit after redistribution. If any private DSH payments cannot be redistributed within this ownership group, the remaining DSH payments after redistribution to privately owned and operated hospitals will be placed in the redistribution pool described in paragraph (7)(c) on page 8E for qualifying non-state government and state owned disproportionate share hospitals. If any privately owned and operated DSH payments remain after being placed in the redistribution pool described in paragraph (7)(c) on page 8E, the Federal Share of the DSH payments that remain will be returned to the Federal Government.

(c) Amounts recouped from qualifying non-state government and state owned disproportionate share hospitals with payments in excess of the audited hospital specific DSH limits, along with any remaining DSH payments from paragraph (7)(b) on page 8E will be placed into a redistribution pool. Redistribution will be made to remaining qualifying non-state government and state owned disproportionate share hospitals that do not exceed their hospital specific DSH limit. The allocation will be made based on a percent to total basis of these remaining hospitals available uncompensated care. No qualifying non-state government and state owned disproportionate share hospital shall exceed its hospital specific DSH limit after redistribution. If any qualifying non-state government and state owned DSH payments cannot be redistributed within this ownership group, the remaining DSH payments after redistribution to qualifying non-state government and state owned hospitals will be placed in the redistribution pool described in paragraph (7)(b) on page 8E. If any qualifying non-state government and state owned DSH payments remain after being placed in the redistribution pool described in paragraph (7)(b) on page 8E, the Federal Share of the DSH payments that remain will be returned to the Federal Government.