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State/Territory Name: Hawaii

State Plan Amendment (SPA)#: 12-005

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) Summary Form (with 179-like data)
- 3) Approved SPA Pages

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



MAY 24 2013

Patricia McManaman, Director
Department of Human Services
P.O. Box 339
Honolulu, Hawaii 96809

RE: Hawaii State Plan Amendment TN: 12-005

Dear Ms. McManaman:

We have reviewed the proposed amendment to Attachment 4.19-A and Attachment 4.19-D of your Medicaid state plan submitted under transmittal number (TN) 12-005. This amendment suspends the annual inflation factor applied to inpatient hospital and nursing facility (including intermediate care facility for individuals with intellectual disabilities) rates for the state fiscal year ending June 30, 2013.

We conducted our review of your submittal according to the statutory requirements at sections 1902(a)(13), 1902(a)(30), 1903(a), and 1923 of the Social Security Act and the implementing Federal regulations at 42 CFR 447 Subpart C.

This is to inform you that Medicaid state plan amendment 12-005 is approved effective July 3, 2012. We are enclosing the HCFA-179 and the amended plan pages.

If you have any questions, please call Annalisa Fichera at (415) 744-3577 or Mark Wong at (415) 744-3561.

Sincerely,

A large black rectangular redaction box covers the signature of Cindy Mann.

Cindy Mann
Director

Enclosures

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL	1. TRANSMITTAL NUMBER: 12-005	2. STATE HAWAII
	3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID) MEDICAL ASSISTANCE	
FOR: HEALTH CARE FINANCING ADMINISTRATION	4. PROPOSED EFFECTIVE DATE July 3, 2012	
TO: REGIONAL ADMINISTRATOR HEALTH CARE FINANCING ADMINISTRATION DEPARTMENT OF HEALTH AND HUMAN SERVICES		

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 CFR 447.252	7. FEDERAL BUDGET IMPACT: FFY 2012 (4 th quarter): (\$1,869,079) (\$663,642) FFY 2013 (1 st , 2 nd and 3 rd quarter): (\$5,760,492) (\$130,108)
8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT: Attachment 4.19 - A, page 11 Attachment 4.19 - D, page 31 and 38 Supplement to Attachment 4.19-D, page 3	9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable): Attachment 4.19 - A, page 11 Attachment 4.19 - D, page 31 and 38 Supplement to Attachment 4.19-D, page 3

10. SUBJECT OF AMENDMENT:

The amendment continues the suspension of the annual inflation factor application to inpatient hospital and nursing facility rates for the 4th quarter of FFY 2012 (July 3, 2012 - September 30, 2012) and the 1st, 2nd and 3rd quarter of FFY 2013 (October 1, 2012-June 30, 2013).

11. GOVERNOR'S REVIEW (Check One):

GOVERNOR'S OFFICE REPORTED NO COMMENT OTHER, AS SPECIFIED:
 COMMENTS OF GOVERNOR'S OFFICE ENCLOSED AS APPROVED BY GOVERNOR
 NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

12. SIGNATURE OF STATE AGENCY OFFICIAL: 	16. RETURN TO: Med-QUEST Division Program & Policy Development Office P. O. Box 700190 Kapolei, Hawaii 96709-0190
13. TYPED NAME: PATRICIA MCMANAMAN	
14. TITLE: DIRECTOR	
15. DATE SUBMITTED: SEP 28 2012	

FOR REGIONAL OFFICE USE ONLY

17. DATE RECEIVED:	18. DATE APPROVED: MAY 24 2012
PLAN APPROVED - ONE COPY ATTACHED	
19. EFFECTIVE DATE OF APPROVED MATERIAL:	20. SIGNATURE OF REGIONAL OFFICIAL:
21. TYPED NAME:	22. TITLE:

23. REMARKS: Pen-and-ink changes made to Box 7 per State request.

submitted by Providers for Medicaid reimbursement.

- d. For Rebasing, the latest available claims data for a two fiscal year period shall be used. Claims that are paid by December 31 of the year following the year in which the last fiscal year included in the data collection effort ends shall be considered as a paid in the fiscal year when the service was rendered.
2. Additional cost data supplied by Providers shall be utilized to update cost data only as specified in this plan. For Rebasing, Providers will be given an opportunity to submit cost data similar in nature to that included in the TAC cost reports, excluding Capital Related Costs.
3. Inflation in the costs of delivering Inpatient hospital services shall be recognized by using the Inflation Factor (Section I.D. 17) provided that no inflation adjustment shall be applied in determining the rates for the 4th quarter of FFY 2012 and the 1st, 2nd, and 3rd quarter of FFY 2013.

B. CLASSIFICATION OF ACUTE INPATIENT FACILITIES

1. For purposes of establishing the PPS rates, acute Inpatient facilities shall be classified into the following four mutually exclusive groups:
 - a. Classification I - Facilities averaging less than 250 Medicaid discharges per year;
 - b. Classification II - Facilities averaging 250 Medicaid discharges per year or more, which do not participate in approved intern and resident teaching programs;
 - c. Classification III - Facilities averaging 250 Medicaid discharges per year or more which participate in approved intern and resident teaching programs; and
 - d. Classification IV - The freestanding rehabilitation hospital.

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Supersedes
TN No. 11-006A

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b) To ensure the prospective nature of the payment methodology, the Inflation Adjustment shall not be retroactively modified or adjusted.

4. The Inflation Adjustment shall not be applied to rates for the 4th quarter of FFY 2012 and the 1st, 2nd, and 3rd quarter of FFY 2013.

B. Limitations on Long-Term Care Provider Reimbursement

1. Notwithstanding any other provisions of this Plan, aggregate payments to each group of facilities (i.e., Nursing Facilities or ICF/MRs) may not exceed the amount that can reasonably be estimated would have been paid for those services under Medicare reasonable cost principles of reimbursement (as defined in 42 C.F.R. chapter 413). In addition, aggregate payments to each group of State-operated Providers (i.e., Nursing Facilities or ICF/MRs) may not exceed the amount that can reasonably be estimated would have been paid under Medicare reasonable cost principles of reimbursement. If a formal and final determination is made that payments in the aggregate exceeded the Upper Limit and federal financial participation is disallowed, then the Department may recoup any payments made to Providers in excess of the Upper Limit.
2. Notwithstanding any other provisions of this Plan, payment for out-of-state long-term care facility services shall be the lesser of the facility's charge, the other state's Medicaid rate, or the statewide weighted average Hawaii Medicaid rate applicable to services provided by comparable Hawaii Providers.
3. Notwithstanding any other provision of this Plan, no payments shall be made for the improper admission of or care for mentally ill or mentally retarded individuals, as those terms are defined in section 4211 (e) (7) (G) of OBRA 87.
4. Notwithstanding any other provisions of this Plan, should federal participation for CAH providers be disallowed, the Department may recoup any such payments made to these CAH facilities.

C. Adjustments to Base Year Cost

1. Adjustments to a Provider's Base Year Cost Report that occur subsequent to a Rebasing that utilizes that Base Year Cost Report shall not result in any change to the component rate ceilings for the Provider's peer group.

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- E. Each Provider shall keep financial and statistical records of the cost reporting year for at least six years after submitting the cost report form to the Department and shall make such records available upon request to authorized state or federal representatives.

XI. ACUITY BASED REIMBURSEMENT SYSTEM

- A. Beginning with the effective date of these rules, the Department will implement a transition from PPS to an acuity based reimbursement system. The phased approach was implemented on July 1, 2008.
- B. The rate methodology uses a price-based system with the following parameters:
 - 1. For the direct care rate component, the component price is set at one hundred ten per cent of the day-weighted median. The rate that is calculated is subject to a case mix adjustment based upon the change on each facility's overall case mix.
 - 2. For the administrative and general rate component, the component price is set at one hundred three per cent of the day-weighted median. The rate is not subject to a case mix adjustment.
 - 3. For the capital rate component, the component price is at the day-weighted median. The rate is not subject to a case mix adjustment.
 - 4. The gross excise taxes paid to the State of Hawaii (Hawaii general excise tax) is treated as a pass-through.
 - 5. The Medicaid share of the NF Sustainability Fee is treated as a pass-through.

The rate setting parameters will remain constant for all future rate setting periods. The prices calculated for direct care, administrative and general, and capital will reflect prices that relate to the rate period beginning July 1, 2002 and ending June 30, 2003. The component prices will be updated for each subsequent rate period by the inflation adjustment for each period, provided that no inflation adjustment shall be applied in determining component prices for the 4th quarter of FFY 2012 and the 1st, 2nd and 3rd quarter of FFY 2013.

- C. Effective for rate periods starting September 1, 2003 and July 1, 2004, the annual cost increases shall be determined as follows:
 - 1. Calculate the blended Acuity A and Acuity C rates for all eligible NF facilities using the inflation adjustment.

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TN No. 12-002

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SUPPLEMENT TO ATTACHMENT 4.19-D

Constant for all future rates setting periods. The prices listed above (\$102.19 for direct care, \$61.83 for administrative and general and \$13.04 for capital) reflect prices that relate to the rate period beginning July 1, 2002 and ending June 30, 2003. Therefore, those prices will need to be updated for each subsequent rate period before they can be used in the rate setting process for those periods. They will be updated by the full inflation factor for each period, as determined by the inflation adjustment provided that no inflation adjustment shall be applied in determining rates for the 4th quarter of FFY 2012 and the 1st, 2nd and 3rd quarters of FFY 2013.

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