

5341-S2

Sponsor(s): Senate Committee on Ways & Means (originally sponsored by Senators Winsley, Kline, Thibaudeau, Carlson, Parlette and Kohl-Welles)

Brief Description: Establishing a quality maintenance fee on nursing facilities.

**SB 5341-S2.E - DIGEST**

(DIGEST AS ENACTED)

Provides that, in addition to any other tax, a quality maintenance fee is imposed on every nonexempt nursing facility in this state. The quality maintenance fee is six dollars and fifty cents per patient day.

Requires each operator of a nonexempt nursing facility to file a return with the department on a monthly basis. The return shall include the following: (1) The number of patient days for nonexempt nursing facilities operated by that person in that month; and

(2) Remittance of the nonexempt nursing facility operator's quality maintenance fee for that month.

Declares that all of chapter 82.32 RCW, except RCW 82.32.270, applies to the fee imposed by this act, in addition to any other provisions of law for the payment and enforcement of the fee imposed by this act.

Provides that, by July 1st of each year, each nursing facility operator shall file a report with the department of social and health services listing the patient days and the gross income for the prior calendar year for each nursing facility that he or she operates.

Provides that, by August 1, 2003, the department of social and health services shall submit for approval to the federal department of health and human services a request for a waiver pursuant to 42 C.F.R. 433.68. The waiver shall identify the nursing facilities that the department proposes to exempt from the quality maintenance fee.

Directs the department of social and health services to notify the department of revenue and the nursing facility operator of the nursing facilities that would be exempted from the quality maintenance fee pursuant to the waiver request submitted to the federal department of health and human services. The nursing facilities included in the waiver request may withhold payment of the fee pending final action by the federal government on the request for waiver.

Provides that, if the request for waiver is approved, the department of social and health services shall notify the department of revenue and the nursing facility operator that no quality maintenance fee is due from the facility. If the request for waiver is denied, nursing facility operators who have withheld payment of the fee shall pay all such fees as have been withheld. No interest or penalties shall be due upon such withheld payments for the period during which final federal action was pending.

Directs the department of social and health services to prospectively add the medicaid cost of the quality maintenance fee under section 2 of this act to the nursing facility component rate allocation calculated after application of all other provisions of RCW 74.46.521.