

1 AN ACT relating to Medicaid coverage for residential pediatric recovery centers.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. The Department for Medicaid Services is hereby directed to, no later
4 than November 1, 2023, prepare and submit to the federal Centers for Medicare and
5 Medicaid Services a state plan amendment application to provide medical assistance, to
6 the fullest extent permitted under federal law including but not limited to 42 U.S.C. sec.
7 1396(a), for inpatient and outpatient services provided by a residential pediatric recovery
8 center.

9 ➔Section 2. The Department for Medicaid Services shall, in accordance with
10 KRS 205.525, provide a copy of the state plan amendment application submitted pursuant
11 to Section 1 of this Act to the Interim Joint Committee on Health, Welfare, and Family
12 Services and the Interim Joint Committee on Appropriations and Revenue and shall
13 provide an update on the status of the state plan amendment application upon request.

14 ➔Section 3. Notwithstanding any other provision of law to the contrary, the
15 Department for Medicaid Services shall continue to reimburse for all Medicaid services
16 delivered prior to July 1, 2023, if the service was reimbursable on January 1, 2023.

17 ➔Section 4. In the event that the Legislative Research Commission dissolves the
18 Interim Joint Committee on Health, Welfare, and Family Services and establishes another
19 interim joint committee or committees with jurisdiction over health services or children
20 and families, the copy of the state plan amendment application required to be submitted
21 pursuant to Section 2 of this Act shall be submitted to that interim joint committee or
22 committees.

23 ➔Section 5. Whereas there is urgent need to ensure that Medicaid providers who
24 have made financial investments based on the reimbursability of Medicaid services as of
25 January 1, 2023, are able to recoup the cost associated with those investments, an
26 emergency is declared to exist, and Section 3 of this Act takes effect upon its passage and
27 approval by the Governor or upon its otherwise becoming a law.