
Emergency Rules

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 10—Nursing Home Program**

expires Dec. 28, 2015. An emergency amendment covering this same material will be published in the August 3, 2015, issue of the Missouri Register.

EMERGENCY AMENDMENT

13 CSR 70-10.110 Nursing Facility Reimbursement Allowance.
The division is adding subsection (2)(P).

PURPOSE: This amendment provides for a change in the Nursing Facility Reimbursement Allowance rate to thirteen dollars and forty cents (\$13.40) effective July 1, 2015.

EMERGENCY STATEMENT: The Department of Social Services, MO HealthNet Division finds that this emergency amendment is necessary to preserve a compelling governmental interest of collecting state revenue in order to provide nursing facility services to individuals eligible for the MO HealthNet nursing facility program. This emergency amendment changes the Nursing Facility Reimbursement Allowance (NFRA) rate from twelve dollars and eleven cents (\$12.11) to thirteen dollars and forty cents (\$13.40) effective July 1, 2015. An early effective date is required because the emergency amendment is necessary to establish the NFRA assessment rate effective July 1, 2015 for State Fiscal Year (SFY) 2016. The NFRA needs to be established in order to collect the state revenue to ensure funds are available to pay for nursing facility services for MO HealthNet participants in participating MO HealthNet nursing facilities with the funds appropriated for that purpose. The MO HealthNet Division also finds an immediate danger to public health, safety, and/or welfare which require emergency actions. If this emergency amendment is not enacted, there would be significant cash flow shortages causing a financial strain on Missouri nursing facilities which service approximately twenty-four thousand (24,000) individuals eligible for the MO HealthNet nursing facility program. This financial strain, in turn, will result in an adverse impact on the health, safety, and welfare of MO HealthNet participants in need of nursing facility services. This emergency amendment limits its scope to the circumstances creating the emergency and complies with the protections extended by the Missouri and United States Constitutions. The MO HealthNet Division believes this emergency amendment to be fair to all interested persons and parties under the circumstances. This emergency amendment was filed June 19, 2015, becomes effective July 1, 2015, and expires December 28, 2015.

(2) NFRA Rates. The NFRA rates determined by the division, as set forth in (1)(B) above, are as follows:

(N) Effective October 1, 2011, the NFRA will be eleven dollars and seventy cents (\$11.70) per patient occupancy day. The applicable quarterly survey shall be as defined in subsection (2)(K); *[and]*

(O) Effective July 1, 2012, the NFRA will be twelve dollars and eleven cents (\$12.11) per patient occupancy day. The applicable quarterly survey shall be as defined in subsection (2)(K).; **and**

(P) Effective July 1, 2015, the NFRA will be thirteen dollars and forty cents (\$13.40) per patient occupancy day. The applicable quarterly survey shall be as defined in subsection (2)(K).

AUTHORITY: sections 198.401, 198.403, 198.406, 198.409, 198.412, 198.416, 198.418, 198.424, 198.427, 198.431, 198.433, 198.436, and 208.159, RSMo 2000, [and] sections 198.439, 208.153, and 208.201, RSMo Supp. [2012] 2013, and section 198.421, RSMo Supp. 2014. Emergency rule filed Dec. 21, 1994, effective Jan. 1, 1995, expired April 30, 1995. Emergency rule filed April 21, 1995, effective May 1, 1995, expired Aug. 28, 1995. Original rule filed Dec. 15, 1994, effective July 30, 1995. For intervening history, please consult the Code of State Regulations. Emergency amendment filed June 19, 2015, effective July 1, 2015,