

HOUSE No. 1142

The Commonwealth of Massachusetts

PRESENTED BY:

Claire D. Cronin

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to cap liability related to hospital financial penalties.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Claire D. Cronin</i>	<i>11th Plymouth</i>	<i>1/17/2019</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>2/1/2019</i>

HOUSE No. 1142

By Ms. Cronin of Easton, a petition (accompanied by bill, House, No. 1142) of Claire D. Cronin and Michael D. Brady relative to hospital financial penalties for medical assistance recipients. Health Care Financing.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to cap liability related to hospital financial penalties.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Subsection (b) of Section 13F of Chapter 118E of the general laws, as appearing in the
2 2016 official edition, is hereby amended by inserting the following new paragraph at the end
3 thereof:

4 In its contracts with acute hospitals, the executive office and any third party under
5 contract with the executive office to provide medical benefits for medical assistance recipients
6 under Title XIX, shall limit any financial penalty related to potentially preventable readmissions
7 to no more than 4.4 percent of a hospital’s total annual inpatient payments covered under said
8 contract. Furthermore, total penalties across all acute hospitals shall not exceed the penalty
9 amount assessed in hospital rate year 2018. Notwithstanding the provisions of section 38 of this
10 chapter, any appeal regarding an overpayment recovery for potentially preventable readmissions
11 which is not adjudicated by the executive office or its third party contractors within 180 days that
12 the provider submits a timely claim for an adjudicatory hearing shall be nullified and any

13 payment recoveries made by the executive office or a third party contractor shall be repaid to the
14 hospital.