COMMITTEE REPORT

March 29, 2011

**S. 434**

Introduced by Senators Peeler, Bryant, Bright and Campsen

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Read the first time March 2, 2011.

**THE COMMITTEE ON WAYS AND MEANS**

To whom was referred a Joint Resolution (S. 434) to suspend Provisos 21.11, 21.15, and 21.20 of Part IB, Act 291 of 2010, the Fiscal Year 2010-2011 General Appropriations Bill, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

DANIEL T. COOPER for Committee.

**A** **JOINT RESOLUTION**

TO SUSPEND PROVISOS 21.11, 21.15, AND 21.20 OF PART IB, ACT 291 OF 2010, THE FISCAL YEAR 2010-2011 GENERAL APPROPRIATIONS BILL, AND TO SUSPEND A PORTION OF PROVISO 89.87 PROHIBITING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FROM REDUCING PROVIDER RATES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A) Provisos 21.11, 21.15, and 21.20 of Part IB, Act 291 of 2010, the Fiscal Year 2010-2011 General Appropriations Bill, are suspended.

(B) To the extent that Proviso 89.87 of Part IB, Act 291 of 2010 prohibits the Department of Health and Human Services from reducing provider rates from their current levels and expresses that this proviso is not intended to restrict the annual updating of cost base rates and those rates which are indexed to methodologies described in the Medicaid State Plan, this portion of the proviso is suspended. The remaining portion of Proviso 89.87 remains in effect and continues to have the force of law.

(C) All proposed changes must include estimates of the projected dollar savings by source of funds and the number of providers and clients impacted. Six months after receiving approval from the Centers for Medicare and Medicaid Services to implement rate changes, the Department of Health and Human Services must submit to the Senate Finance Committee and House Ways and Means Committee a report reconciling actual savings by source of funds and actual providers and clients impacted in comparison to the estimate. Where differences occur, an explanation must be provided to account for any discrepancies.

SECTION 2. This joint resolution takes effect upon approval by the Governor.

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