

**No. 116. An act relating to health care providers participating in Vermont's Medicaid program.**

(S.282)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. MEDICAID PROVIDER SCREENING AND ENROLLMENT

(a) Beginning on or before July 1, 2019, the Department of Vermont Health Access shall conclude the screening and enrollment process for each health care provider applying to participate in the Medicaid program within 60 calendar days following receipt of the provider's completed application. An application shall be considered complete when the Department has received all information and documentation necessary to conduct the screening and enrollment.

(b) In the event that the Department of Vermont Health Access will be unable to meet the 60-day time frame required by subsection (a) of this section by July 1, 2019, the Commissioner of Vermont Health Access shall convene a meeting of interested stakeholders, including organizations representing health care providers and health care facilities, on or before February 1, 2019, to provide an update regarding the status of the Department's provider screening and enrollment efforts, including identifying the remaining barriers and any additional resources needed for the Department to be able to process applications within 60 days following receipt and providing an alternative date by which the Department expects to begin meeting the 60-day time frame requirement.

Sec. 2. MEDICAID PARTICIPATING PROVIDER CONCERNS

(a) The Department of Vermont Health Access shall consult with providers participating in Vermont's Medicaid program to identify their main concerns related to the Medicaid program and its administration. In addition, the Department shall evaluate, in consultation with the Office of the Attorney General, its implementation of State and federal Medicaid fraud and abuse provisions as they relate to participating providers, including the audit and recoupment timelines, processes, and procedures. The Department shall also assess the feasibility of creating an exception to recoupment for cases involving good-faith interpretations of ambiguous statutes, rules, and guidance and for claims filed in good-faith reliance on information provided by employees of the Department of Vermont Health Access, the Agency of Human Services, or their contractors.

(b) On or before December 15, 2018, the Commissioner of Vermont Health Access shall convene a meeting of interested stakeholders to provide a summary of the Department's responses to participating providers' concerns regarding the Medicaid program and its administration and of the Department's findings regarding the potential for making changes to the Medicaid fraud and abuse statutes and for creating an exception to recoupment as described in subsection (a) of this section.

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Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

Date Governor signed bill: May 1, 2018