

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

PROPOSED AMENDMENT

13 CSR 70-10.120 Reimbursement for Nurse Assistant Training. The division is amending sections (1), (2), (3), and (4).

PURPOSE: This amendment updates the maximum allowable reimbursement for nurse assistant training to one thousand five hundred dollars (\$1,500) per person and updates other outdated terms and references.

(1) Definitions.

(D) “Cost report” is the Financial and Statistical Report for Nursing Facilities, required attachments, and all worksheets supplied by the division for this purpose per 13 CSR 70-10.015, **effective January 1, 1995, through June 30, 2022, and 13 CSR 70-10.020, effective beginning July 1, 2022.** The cost report details the cost of rendering both covered and noncovered services for the fiscal reporting period in accordance with the procedures prescribed by the division, and on forms provided by and/or approved by the division.

(G) “Division,” unless otherwise specified, refers to the Department of Social Services, MO HealthNet Division that is charged with administration of *[Missouri’s Medical Assistance]* **MO HealthNet** (Medicaid) Program.

(H) “Facility fiscal year” is a facility’s twelve- (12-) month fiscal reporting period *[covering the same twelve- (12-) month period as its federal tax year]*.

(L) “Patient day” is the period of service rendered to a patient between the census-taking hour on two (2) consecutive days. Census shall be taken in all facilities at midnight each day and a census log maintained in each facility for documentation purposes. Patient day includes the allowable temporary leave-of-absence days per 13 CSR 70-10.015(5)(D), **effective January 1, 1995, through June 30, 2022, and 13 CSR 70-10.020(5)(C), effective beginning July 1, 2022,** and hospital leave days per 13 CSR 70-10.070. The day of discharge is not a patient day for reimbursement purposes unless it is also the day of admission.

(M) “Provider or facility” is a nursing facility with a valid Medicaid participation agreement with the Department of Social Services for the purpose of providing nursing facility services to Title XIX-eligible *[recipients]* **participants.**

(2) General Principles.

(A) Provisions of this reimbursement plan shall apply only to nursing facilities with valid provider agreements certified by the Department of Social Services, Missouri Medicaid Audit and Compliance (MMAC) for participation in the *[Missouri Medical Assistance]* **MO HealthNet** (Medicaid) Program.

(3) Reimbursement for Nurse Assistants Employed at the Time of Training. If a nurse assistant is employed at a nursing facility and then passes an approved nurse assistant training and competency evaluation program, the division will reimburse a facility if all the following criteria are met:

(C) The following reimbursement amounts will be prorated based on Medicaid utilization:

1. *[Three hundred sixty-five dollars (\$365)]* **One thousand five hundred dollars (\$1,500)** for a nurse assistant completing the entire basic course (all lesson plans, seventy-five (75) hours classroom training, and one hundred (100) hours on-the-job training) and passing the final exam[;], **as follows:**

Classroom Training	\$600
On-the-Job Training	\$575
Textbook and Supplies	\$200
Written Test	\$30

Skills Test	<u>\$95</u>
Total Allowable to be Prorated on Medicaid Utilization	<u>\$1,500</u>

2. A percentage of the [three hundred sixty-five dollars (\$365)] **one thousand five hundred dollars (\$1,500)** for nurse assistants who only complete a portion of the lesson plans and pass the final exam will be paid. The percentage will be based on how many lesson plans were completed. For example:

If no on-the-job training was provided, and if only lesson plans 1, 2, 4, 5, 6, 8, 9, 10, 11, 12, 41, 42, and 43 were completed, the percentage of the [\$365] **\$1,500** allowable would be:

[*\$ 34.50 classroom training
 ((18.36/hr × 75 hrs)/10) = \$138
 \$138 × 18.75 hours/75 hrs = \$34.50
 \$ 0.00 on-the-job training (0 of 100 hours)
 \$ 30.00 textbook and supplies
 \$ 50.00 testing fee
 \$ 25.00 certification fee
 \$139.50 allowable to be prorated on Medicaid utilization]*

Classroom Training (\$600 x 18.75 hours/75 hours)	\$150
On-the-Job Training	\$0
Textbook and Supplies	\$200
Written Test	\$30
Skills Test	\$95
Total Allowable to be Prorated on Medicaid Utilization	<u>\$475</u>

3. [Seventy-five dollars (\$75)] **One hundred twenty-five dollars (\$125)** for nurse assistants who do not complete any lesson plans through a challenge and pass the final exam;

(4) Reimbursement for Nurse Assistants Not Yet Employed at the Time of Training. If a nurse assistant is not employed at a nursing facility and that individual pays for the nurse assistant training and competency evaluation program, the division will reimburse a facility if all the following criteria are met:

(F) The division will prorate costs based on Medicaid utilization as follows:

1. [Three hundred sixty-five dollars (\$365)] **One thousand five hundred dollars (\$1,500)** for a nurse assistant completing the entire basic course (all lesson plans, seventy-five (75) hours classroom training, and one hundred (100) hours on-the-job training) and passing the final exam;
2. A percentage of the [three hundred sixty-five dollars (\$365)] **one thousand five hundred dollars (\$1,500)** for nurse assistants who only complete a portion of the lesson plans and pass the final exam. The percentage will be based on how many lesson plans were completed. See paragraph (3)(C)2. of this regulation; and
3. [Seventy-five dollars (\$75)] **One hundred twenty-five dollars (\$125)** for nurse assistants who do not complete any lesson plans through a challenge process and pass the final exam; and

AUTHORITY: sections 208.153, 208.159, 208.201, and 660.017, RSMo 2016, and section 208.152, RSMo Supp. 2018. Original rule filed May 30, 1995, effective Dec. 30, 1995. For intervening history, please consult the **Code of State Regulations**. **Emergency amendment filed February 26, 2024, effective March 11, 2024, expired September 6, 2024. Amended: Filed February 26, 2024,***

**Original authority: 208.152, RSMo 1967, amended 1969, 1971, 1972, 1973, 1975, 1977, 1978, 1978, 1981, 1986, 1988, 1990, 1992, 1993, 2004, 2005, 2007, 2011, 2013, 2014, 2015, 2016, 2018; 208.153, RSMo 1967, amended 1967, 1973, 1989, 1990, 1991, 2007; 208.159, RSMo 1979; 208.201, RSMo 1981, amended 2007; 660.017, RSMo 1993, amended 1995.*

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions approximately two million three hundred eighty-three thousand one hundred twenty-four dollars (\$2,383,124 million) annually.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Legal Services Division-Rulemaking, P.O. Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*