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Senate Bill 27 (as enacted)
Sponsor: Senator Jim Stamas
House Committee: Appropriations
Senate Committee: Appropriations

PUBLIC ACT 67 of 2021

Date Completed: 7-27-21

CONTENT

The House substitute for the bill includes fiscal year (FY) 2020-21 supplemental appropriations using Federal Coronavirus State Fiscal Relief funds to make payments to hospitals (\$160.0 million) and long-term care facilities (\$100.0 million) and to support Secondary Road Patrol (\$2.7 million). The FY 2020-21 supplemental also includes \$105.0 million in Federal funding to increase child care rates for certain providers, \$7.0 million General Fund/General Purpose (GF/GP) for the Wrongful Imprisonment Fund, and \$10.0 million GF/GP for disaster relief related to the June 2021 weather events in the State.

Table 1

FY 2020-21 Appropriations			
Budget Area	Gross	Federal	GF/GP
Education	\$105,000,000	\$105,000,000	\$0
Health & Human Svcs	260,000,000	260,000,000	0
State Police	12,700,000	2,700,000	10,000,000
Treasury	7,000,000	0	7,000,000
TOTAL	\$384,700,000	\$367,700,000	\$17,000,000

FISCAL IMPACT

The bill provides supplemental appropriations using Federal Coronavirus State Fiscal Relief revenue for three purposes: \$160.0 million to hospitals in the State to help hospitals cover increased costs and reduced revenue during the COVID-19 pandemic, \$100.0 million to long-term care facilities in the State to provide a \$23 per day increase to nursing facilities that have seen a census decline since the start of the COVID-19 pandemic, and \$2.7 million for Secondary Road Patrol in the Department of State Police.

The supplemental also includes \$105.0 million in Federal funding for the Department of Education to increase child care provider reimbursement rates for child care centers, group home providers, registered family homes, and licensed exempt providers by 40.0% above the rates in effect on September 30, 2020. This increase would be rounded up to the nearest \$0.05 per hour and would be effective for the entirety of FY 2020-21.

The supplemental includes \$7.0 million GF/GP for the Wrongful Imprisonment Compensation Fund in the Department of Treasury to shore up funding in that line. The supplemental includes \$10.0 million GF/GP for the Emergency and Disaster Response and Mitigation line in the Department of State Police to cover costs related to the June 2021 weather events in the State.

Table 2 summarizes the details of the appropriations in the bill.

FY 2020-21 BOILERPLATE LANGUAGE SECTIONS - PART 2

Sec. 201. General. Records amount of total State spending and payments to local units of government.

Sec. 202. General. Subjects appropriations and expenditures in the article to the provisions of the Management and Budget Act.

Sec. 203. General. Directs that, if the State Administrative Board transfers funds appropriated in the Act, the Legislature may, by concurrent resolution requiring a majority vote in each chamber, transfer funds within a particular department, board, commission, officer, or institution.

Sec. 204. General. Specifies appropriated funds are subject to Federal audit and reporting requirements. Requires prompt action if instances of noncompliance are identified and directs the State Budget Director to rectify any noncompliance issues and to inform the Appropriations Committees and fiscal agencies in the case of noncompliance.

Sec. 205. General. Requires the State Budget Director to report monthly on all coronavirus relief effort funds to the Appropriations Committees and the fiscal agencies.

Sec. 301. Education. Directs that the COVID-19 Child Care Public Assistance funding appropriated in part 1 be used to increase child care rates by 40.0% above the rates in place September 30, 2020, rounded up to the nearest \$0.05 per hour, effective from October 1, 2020, to September 30, 2021. The rate increase would apply to child care centers, group home providers, registered family homes, and licensed exempt providers.

Sec. 302. Education. Directs that the COVID-19 Child Care Public Assistance funding appropriated in part 1 be used to make payments to child care providers beginning on June 28, 2021 through September 30, 2021 for eligible children based on enrollment rather than attendance.

Sec. 401. Health and Human Services. Directs the Department of Health and Human Services to provide grants totaling \$160.0 million to hospitals in the State to cover increased hospital costs and lost revenue related to the COVID-19 pandemic. Directs that the grant to each hospital be proportional to that hospital's share of total State Medicaid fee for service and managed care inpatient claims revenue.

Sec. 402. Health and Human Services. Directs the Department of Health and Human Services to provide a \$23 per Medicaid day increase in reimbursement to skilled nursing facilities that have experienced a 5.0% or greater facility average daily census decline during the first three calendar quarters of 2021 as compared to the average daily census in each facility's 2019 Medicaid cost report. Allows a facility to be eligible for one or all three calendar quarters depending on the facility's change in average daily census by calendar quarter. Allows facilities to request the increase at the end of each calendar quarter. Requires the facility request to include average daily census from the 2019 Medicaid cost report based on total licensed beds, the applicable quarter's average daily census, and a detailed weekly average daily census for that quarter. Also requires the facility to report the number of Medicaid days rendered in the applicable 2021 quarter, including integrated care organization and Healthy Michigan Plan days of care. Allows the Department of Health and Human Services to request additional documentation to verify census. Requires the Department of Health and Human Services to remit payment to the nursing facility within 14 days after receiving the request with all applicable information. Requires reconciliation by no sooner than 92 days after September 30, 2021. Requires nursing facilities, as a condition of receiving funds, to pay any reconciliation determined payments or recoveries. Requires the Department of Health and Human Services to identify to each nursing facility any overpayments or underpayments.

Sec. 501. State Police. Directs that the funding in part 1 for Emergency and Disaster Response and Mitigation be used to cover costs related to the June 2021 weather events in the State.

Table 2

FY 2020-21 Appropriation Detail			
Department/Program	Gross	Federal	GF/GP
Education			
COVID-19 child care public assistance	<u>\$105,000,000</u>	<u>\$105,000,000</u>	<u>\$0</u>
Total Education	\$105,000,000	\$105,000,000	\$0
Health and Human Services			
Hospital COVID-19 grants	\$160,000,000	\$160,000,000	\$0
Long-term care facility supports	<u>100,000,000</u>	<u>100,000,000</u>	<u>0</u>
Total Health and Human Services	\$260,000,000	\$260,000,000	\$0
State Police			
Secondary road patrol	\$2,700,000	\$2,700,000	\$0
Emergency and disaster response/mitigation	<u>10,000,000</u>	<u>0</u>	<u>10,000,000</u>
Total State Police	\$12,700,000	\$2,700,000	\$10,000,000
Treasury			
Wrongful Imprisonment Compensation Fund	<u>\$7,000,000</u>	<u>\$0</u>	<u>\$7,000,000</u>
Total Treasury	\$7,000,000	\$0	\$7,000,000
Total FY 2020-21 Supplemental Appropriations	\$384,700,000	\$367,700,000	\$17,000,000

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.