

House File 736

S-5095

1 Amend House File 736, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. By striking everything after the enacting clause and  
4 inserting:

5 <Section 1. NEW SECTION. **249A.42A Overpayment —**  
6 **subsequent ineligibility of recipient — recovery — recoupment**  
7 **— reimbursement.**

8 Notwithstanding any provision to the contrary, if a recipient  
9 is deemed ineligible for medical assistance following delivery  
10 of care or service by a provider, in an administrative action  
11 to recover an overpayment to the provider based solely on the  
12 grounds of such recipient's ineligibility, the department  
13 acting as the state Medicaid agency shall reimburse the  
14 provider for any recoupment of an overpayment using state-only  
15 funds for care or services delivered if all of the following  
16 conditions are met:

17 1. The provider verified eligibility through the  
18 eligibility and verification system or the secure web portal  
19 of, and obtained any necessary prior authorization for, the  
20 recipient on whose behalf payment was made to the provider  
21 prior to the delivery of care or service to the recipient.

22 2. The provider documented the eligibility verification  
23 performed and any necessary prior authorization obtained  
24 pursuant to paragraph "a" in a manner and format established by  
25 the department by rule, and retained the required documentation  
26 in the recipient's file.>

27 2. Title page, by striking lines 1 through 3 and inserting  
28 <An Act relating to recovery of an overpayment to a provider  
29 based on specified grounds under the Medicaid program.>

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MARK COSTELLO