

Senate File 168 - Introduced

SENATE FILE 168
BY RAGAN and MATHIS

A BILL FOR

1 An Act relating to an ombudsman to provide Medicaid program
2 assistance and advocacy.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 2C.6A Assistant for Medicaid
2 program.

3 1. The ombudsman shall appoint an assistant who shall be
4 primarily responsible for investigating complaints relating to
5 the Medicaid program, including both Medicaid fee-for-service
6 and managed care payment and delivery systems, and all Medicaid
7 populations including the long-term services and supports
8 population.

9 2. The ombudsman shall provide assistance and advocacy
10 services to Medicaid recipients and the families or legal
11 representatives of Medicaid recipients. Such assistance
12 and advocacy shall include but is not limited to all of the
13 following:

14 a. Assisting recipients in understanding the services,
15 coverage, and access provisions and their rights under the
16 Medicaid program.

17 b. Developing procedures for the tracking and reporting
18 of the outcomes of individual requests for assistance, the
19 procedures available for obtaining services, and other aspects
20 of the services provided to Medicaid recipients.

21 c. Providing advice and assistance relating to the
22 preparation and filing of complaints, grievances, and appeals
23 of complaints or grievances, including through processes
24 available under managed care plans and the state appeals
25 process under the Medicaid program.

26 3. The ombudsman shall adopt rules to administer this
27 section.

28 4. The ombudsman shall publish special reports and
29 investigative reports as deemed necessary and shall include
30 findings and recommendations related to the assistance and
31 advocacy provided under this section in the ombudsman's annual
32 report.

33 5. The ombudsman and the department of human services
34 shall collaborate to develop a cost allocation plan requesting
35 Medicaid administrative funding to provide for the claiming of

1 federal financial participation for ombudsman activities that
2 are performed to assist with the administration of the Medicaid
3 program. The cost allocation plan shall document the costs
4 that directly benefit the Medicaid program and are consistent
5 with federal requirements. The cost allocation plan shall be
6 developed in a timely manner to allow for such claiming to
7 begin by January 1, 2020.

8 Sec. 2. REPEAL. Section 231.44, Code 2019, is repealed.

9

EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 This bill directs the ombudsman to appoint an assistant who
13 shall be primarily responsible for investigating complaints
14 relating to the Medicaid program, including both the Medicaid
15 managed care and fee-for-service payment and delivery systems,
16 and all Medicaid populations including the long-term services
17 and supports population. The bill specifies the minimum
18 areas of assistance and advocacy to be provided, directs the
19 ombudsman to adopt administrative rules for administration
20 of the bill, and directs the ombudsman to publish special
21 reports and investigative reports as deemed necessary, and to
22 include findings and recommendations related to the Medicaid
23 program assistance and advocacy provided under the bill in the
24 ombudsman's annual report.

25 The bill also repeals the section of the Code that directs
26 the office of long-term care ombudsman to provide assistance
27 and advocacy services to members of the Medicaid long-term
28 services and supports population since under the bill, the
29 ombudsman will provide assistance and advocacy for both
30 Medicaid managed care and fee-for-service payment and delivery
31 systems and for all populations including the long-term
32 services and supports population.

33 The bill also requires the ombudsman and the department of
34 human services to collaborate to develop a cost allocation
35 plan, consistent with federal requirements, requesting Medicaid

1 administrative funding to provide for the claiming of federal
2 financial participation, by January 1, 2020, for ombudsman
3 activities that are performed to assist with administration of
4 the Medicaid program.