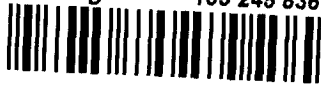


# ENROLLMENT(S)

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COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 9-247

"Medicaid Managed Care Amendment Act of 1992".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 9-425 on first and second readings, December 1, 1992, and December 15, 1992, respectively. The legislation was deemed approved without the signature of the Mayor on January 8, 1993, pursuant to Section 404(e) of "the Act", and was assigned Act No. 9-392, published in the February 12, 1993 edition of the D.C. Register, (Vol. 40 page 1150) and transmitted to Congress on January 15, 1993 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 9-247, effective March 17, 1993.



JOHN A. WILSON  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January 20,21,22,25,26,27

February 2,3,4,16,17,18,19,22,23,24,25,26

March 1,2,3,4,5,8,9,10,11,12,15,16

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 8, 1993

To amend An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes to require mandatory enrollment of AFDC and AFDC-related Medicaid beneficiaries in a managed care health program.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Medicaid Managed Care Amendment Act of 1992".

Sec. 2. Section 1 of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Code § 1-359), is amended by adding a new subsection (d) to read as follows: Section 1-359

"(d)(1) For purposes of this subsection, the term:

"(A) "AFDC-related Medicaid recipient" means a family that has dependent children under 21 years of age in the home and whose income is not low enough to qualify for financial assistance, but is low enough to qualify for medical assistance.

"(B) "Health maintenance organization" means a public or private organization, operating in the District of Columbia, which contracts with the District government to provide comprehensive health maintenance, preventive and treatment services emphasizing access to primary care for enrolled members of the plan through its own network of physicians and hospitals for a fixed prepaid premium.

"(C) "Managed care provider" means either a primary care provider or a health maintenance organization.

"(D) "Primary care provider" means a physician, clinic, hospital or neighborhood health center that is responsible for providing primary care and coordinating referrals, when necessary, to other health care providers.

"(E) "Restricted recipient" means a person who has been restricted to one designated primary care provider for a minimum of one year after a finding of abuse or misuse of Medicaid services by the Commission on Health Care Financing.

"(2) The Mayor shall establish a plan to mandate enrollment of AFDC and AFDC-related Medicaid recipients in a managed care program for the purpose of providing access to comprehensive and coordinated

health care in an efficient and cost effective manner. The plan shall provide the following:

"(A) AFDC and AFDC-related Medicaid recipients shall select 1 of the following managed care providers:

"(i) Any health maintenance organization with a current contract with the District of Columbia to provide managed care services to AFDC and AFDC-related Medicaid recipients on a capitated method of payment; or

"(ii) A primary care provider, who shall be reimbursed on a capitated basis.

"(B) The Mayor shall exclude AFDC and AFDC-related Medicaid recipients from the managed care program who are:

"(i) Residents in a nursing facility or intermediate care facility for the mentally retarded;

"(ii) Already enrolled in a managed care program;

"(iii) Eligible for Medicaid for a period that is less than 3 months;

"(iv) Eligible for a period that is retroactive;

"(v) Foster children residing outside the District of Columbia; or

"(vi) Restricted recipients.

"(C) The Mayor shall assign any AFDC or AFDC-related Medicaid recipient who does not choose a provider within a reasonable time to 1 of the following:

"(i) A managed care provider as described in subsection (d)(2)(A)(i); or

"(ii) A managed care provider that is an employee or entity of the District government.

"(D) The enrollment period shall be 6 months. AFDC and AFDC-related Medicaid recipients may change managed care providers without cause within 30 days of enrolling with a managed care provider. However, after that 30-day period has expired, no recipient shall be permitted to change providers except for good cause.

"(E) AFDC and AFDC-related Medicaid recipients enrolled in a managed care program shall be exempted from any additional co-payment requirements other than those imposed by the Medicaid program.

"(F) The Mayor shall develop an education program to fully inform AFDC and AFDC-related Medicaid recipients about the various managed care programs to ensure better care for recipients while avoiding unnecessary and inappropriate use of hospital based services for preventive and primary care.

"(3) In order to participate in the managed care plan, a provider must:

"(A) Be a Medicaid qualified provider and be accessible to enrollees on a 24 hours per day, 7 days per week basis. The Mayor shall establish a monitoring system to ensure that recipients have 24 hours per day, 7 days per week access to their managed care providers and that treatment is provided in a timely manner; and

"(B) Have a written contract with the District government which provides detailed information regarding the responsibilities of the managed care provider and the District government for providing or arranging for the provision of, and making payment for all services to

## Enrolled Original

which the AFDC and AFDC-related Medicaid recipient is entitled under the District state Medicaid plan.

"(4) The Mayor shall maintain a grievance and appeal process for AFDC and AFDC-related Medicaid recipients enrolled in a managed care program.

"(5) The Mayor shall require that managed care providers, which receive a capitated method of payment, submit adequate assurances to protect the District government against risk in case a provider becomes insolvent.

"(6) To implement the requirements of this subsection the Mayor shall:

"(A) Amend the District state Medicaid plan pursuant to section 405 of the District of Columbia Public Assistance Act of 1982, effective April 4, 1982 (D.C. Law 4-101; D.C. Code § 3-204.5); and

"(B) Seek and obtain all necessary waivers of federal Medicaid statutes, rules and regulations.


"(7) The Mayor shall submit to the Council on an annual basis an assessment of the cost effectiveness of the managed care plan and its impact on the AFDC and AFDC-related Medicaid recipient's access to care of adequate quality."

Sec. 3 (a) The Mayor shall, pursuant to title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code §§ 1-1501 to 1542), issue rules to implement the provisions of this act.

(b) The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review period, the proposed rules shall be deemed approved. Nothing in this section shall affect any requirements imposed upon the Mayor by title 1 of the District of Columbia Administrative Procedure Act.

Sec. 4. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)),

and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

VETOED

\_\_\_\_\_  
Mayor  
District of Columbia

January 7, 1993

Not timely returned to the Council within the ten day Mayoral review period. Therefore, veto is invalid and act deemed approved without signature.

January 8, 1993



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Nine

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B9-425

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 12-1-92

VOICE VOTE: Approved

Recorded vote on request

Absent: Cropp, Jarvis, Thomas and Lightfoot

ROLL CALL VOTE: - RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and 5 rows of member names and their votes.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Secretary to the Council signature

Date: December 21, 1992

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 12-15-92

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: - RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and 5 rows of member names and their votes.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Secretary to the Council signature

Date: December 21, 1992

Item on Consent Calendar

ACTION & DATE:

VOICE VOTE:

Recorded vote on request

Absent:

ROLL CALL VOTE: - RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and 5 rows of member names and their votes.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 8, 1993

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(b) The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review period, the proposed rules shall be deemed approved. Nothing in this section shall affect any requirements imposed upon the Mayor by title 1 of the District of Columbia Administrative Procedure Act.

Sec. 4. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)),

and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

VETOED

\_\_\_\_\_  
Mayor  
District of Columbia

January 7, 1993

Not timely returned to the Council within the ten day Mayoral review period. Therefore, veto is invalid and act deemed approved without signature.

January 8, 1993



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Nine

RECORD OF OFFICIAL COUNCIL VOTE

B9-425

DOCKET NO: \_\_\_\_\_

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 12-1-92

VOICE VOTE: Approved

Recorded vote on request

Absent: Cropp, Jarvis, Thomas and Lightfoot

ROLL CALL VOTE: -- RESULT \_\_\_\_\_ (\_\_\_\_/\_\_\_\_/\_\_\_\_)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. WILSON					JARVIS					ROLARK				
BRAZIL					LIGHTFOOT					SMITH, JR.				
CRAWFORD					MASON					THOMAS, SR.				
CROPP					NATHANSON									
EVANS					RAY									

X — Indicates Vote    A.B. — Absent    N.V. — Present, not voting

CERTIFICATION RECORD

*Deyle / ml*

Secretary to the Council

*December 21, 1990*

Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 12-15-92

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: -- RESULT \_\_\_\_\_ (\_\_\_\_/\_\_\_\_/\_\_\_\_)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. WILSON					JARVIS					ROLARK				
BRAZIL					LIGHTFOOT					SMITH, JR.				
CRAWFORD					MASON					THOMAS, SR.				
CROPP					NATHANSON									
EVANS					RAY									

X — Indicates Vote    A.B. — Absent    N.V. — Present, not voting

CERTIFICATION RECORD

*Deyle / ml*

Secretary to the Council

*December 21, 1992*

Date

Item on Consent Calendar

ACTION & DATE: \_\_\_\_\_

VOICE VOTE: \_\_\_\_\_

Recorded vote on request

Absent: \_\_\_\_\_

ROLL CALL VOTE: -- RESULT \_\_\_\_\_ (\_\_\_\_/\_\_\_\_/\_\_\_\_)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. WILSON					JARVIS					ROLARK				
BRAZIL					LIGHTFOOT					SMITH, JR.				
CRAWFORD					MASON					THOMAS, SR.				
CROPP					NATHANSON									
EVANS					RAY									

X — Indicates Vote    A.B. — Absent    N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date