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HOUSE JOINT RESOLUTION NO. 645

Offered January 9, 2019

Prefiled January 8, 2019

Directing the Joint Legislative Audit and Review Commission to study the impact of Medicaid expansion in the Commonwealth. Report.

Patron—Freitas

Referred to Committee on Rules

WHEREAS, the 2018 Appropriation Act directed the Department of Medical Assistance Services to seek federal authority through any necessary waivers or state plan amendments authorized under Titles XIX and XXI of the Social Security Act to implement a comprehensive, value-driven, market-based reform of the Commonwealth's program of medical assistance known as Medicaid; and

WHEREAS, (i) all changes to the state plan for medical assistance necessary to provide Medicaid coverage for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act were approved by the Centers for Medicare and Medicaid Services by October 2018, (ii) enrollment for expanded Medicaid coverage began on November 1, 2018, and (iii) coverage for newly eligible individuals began on January 1, 2019; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Legislative Audit and Review Commission be directed to study the impact of Medicaid expansion in the Commonwealth.

In conducting its study, the Joint Legislative Audit and Review Commission shall assess the following:

1. The number of applications received, processed, and approved by each locality;
2. The actual enrollment of newly eligible individuals described in 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act compared with projected enrollment;
3. The total number of new Supplemental Nutrition Assistance Program and Temporary Assistance for Needy Families program enrollees approved as a result of processing of applications through local departments of social services;
4. The total number of individuals transitioning from private health insurance to the Medicaid program and the total cost to the Commonwealth resulting from the transition of such individuals from private health insurance to the Medicaid program;
5. The actual cost to the Commonwealth to implement Medicaid expansion, including the actual cost to each locality;
6. The actual cost to the Commonwealth of increasing Medicaid reimbursement rates compared with projected costs to the Commonwealth of increasing Medicaid reimbursement rates;
7. The actual savings to the Commonwealth resulting from Medicaid expansion compared with projected savings;
8. The total amount of revenue raised through application of the provider assessments enacted during the 2018 Session of the General Assembly compared with the projected amount of revenue raised through such provider assessments, the total amount of federal funds leveraged as a result of such provider assessment, and the cost of provider assessments passed on to hospital patients;
9. The total amount of payments made to managed care organizations for Medicaid beneficiaries and total Medicaid managed care expenditures on behalf of Medicaid beneficiaries;
10. The total amount of third-party recoveries for services provided to Medicaid beneficiaries;
11. The total amount of estate and personal injury recoveries involving Medicaid beneficiaries, total number of cases in which estate or personal injury recovery was not sought, and, for cases in which such recoveries were not sought, the reason such recoveries were not sought;
12. The total impact of Medicaid expansion on the state budget;
13. The impact of Medicaid expansion on the Commonwealth's bond rating;
14. The impacts of Medicaid expansion on health care providers, including the impact on the capacity of health care providers to provide services to Medicaid patients in the Commonwealth;
15. The effects of Medicaid expansion on rural hospitals, emergency room utilization, and hospital profits in the Commonwealth;
16. The number of health care providers accepting Medicaid patients and accepting new Medicaid patients in the Commonwealth and changes in the number of such providers compared with previous years;
17. The actual wait times for services for Medicaid patients and the impact of Medicaid expansion on wait times for services for Medicaid patients;

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59 18. The total cost of charity care provided by hospitals in the Commonwealth and changes in the
60 total cost of charity care provided by hospitals in the Commonwealth compared with previous years;
61 19. The actual cost of medical care provided to individuals not eligible for Medicaid due to
62 immigration status, including the five most commonly reported reasons for provision of such care and
63 the average cost per case for each of the five most commonly reported reasons for the provision of such
64 medical care;
65 20. The impact of Medicaid expansion on the rate of uninsured individuals in the Commonwealth;
66 21. Health outcomes for individuals receiving medical assistance through the Medicaid program
67 compared with health outcomes for individuals covered by private insurance and uninsured individuals,
68 including any changes in health outcomes;
69 22. Net job creation attributable to Medicaid expansion;
70 23. The impacts of work and community engagement requirements for Medicaid beneficiaries,
71 including the number of Medicaid beneficiaries participating in work and community engagement
72 activities compared with the expected number of Medicaid beneficiaries participating in work and
73 community engagement activities, the actual impact of work and community engagement requirements
74 on Medicaid enrollment rates, and the actual cost of administering the work and community engagement
75 requirements compared with the expected costs of administering the work and community engagement
76 requirements; and
77 24. The actual rates of waste, fraud, and abuse in the administration of the Medicaid program
78 compared with the expected rates of waste, fraud, and abuse in the administration of the Medicaid
79 program.
80 Technical assistance shall be provided to the Joint Legislative Audit and Review Commission by the
81 Department of Medical Assistance Services. All agencies of the Commonwealth shall provide assistance
82 to the Joint Legislative Audit and Review Commission for this study, upon request.
83 The Joint Legislative Audit and Review Commission shall complete its meetings for the first year by
84 November 30, 2019, and for the second year by November 30, 2020, and the chairman shall submit to
85 the Division of Legislative Automated Systems an executive summary of its findings and
86 recommendations no later than the first day of the next Regular Session of the General Assembly for
87 each year. Each executive summary shall state whether the Joint Legislative Audit and Review
88 Commission intends to submit to the General Assembly and the Governor a report of its findings and
89 recommendations for publication as a House or Senate document. The executive summaries and reports
90 shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for
91 the processing of legislative documents and reports and shall be posted on the General Assembly's
92 website.