TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

| Control 810 Department or Agency REVENUI | <u>E</u> |
|--|---|
| Rule Nos. 810-15-101 | |
| Rule Title: Hospital Assessment for Medicaid | |
| New;Amend; _XX_Repeal;Adopt by R | Reference |
| Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? | No |
| Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? | Yes |
| Is there another, less restrictive method of regulation available that could adequately protect the public? | No |
| Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? | No |
| Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? | N/A |
| Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? | Yes |
| ************* | ************** |
| Does the proposed rule have any economic impact? | No |
| If the proposed rule has an economic impact, the proposed note prepared in accordance with subsection (f) of Section | sed rule is required to be accompanied by a fiscal on 41-22-23, Code of Alabama 1975. |
| Certification of Authorized Official | ***************** |
| I certify that the attached proposed rule has been proposed chapter 22, Title 41, Code of Alabama 1975 and that the Administrative Procedure Division of the Legislative | it conforms to all applicable filing requirements of |
| Signature of certifying officer | N Male |
| Date $10/18/13$ | |

APA-6 10/96

ECONOMIC IMPACT STATEMENT FOR APA RULE (Section 41-22-23(f))

| Control No | . <u>810</u> | _ Department o | r Agend | y <u>REVENU</u> | JE_ | | | |
|---------------|--------------------|---|---------------------|--------------------------|------------------|------------------------|-------------------------|----------|
| Rule No: | 810-15-1- | .01 | | | | | | |
| Rule Title: | Hospita | al Assessment for I | Medicaid | | | | | |
| | New | Amend_ | X | Repeal | | Adopt by | Reference | |
| ● NO ○ YES | This ru This ru | le has no econo le has an econo | omic impomic imp | pact. pact, as expl | ained l | below: | | |
| 1. | NEED/ | EXPECTED BE | NEFIT | OF RULE: | | | | |
| 2. | EFFICI | S/BENEFITS OF ENT, AND FEA CHIEVING THE | SIBLE | MEANS FOR | RALLO | IS THE MO DCATING F | OST EFFECT RESOURCES | IVE 3 |
| 3. | EFFEC | T OF THIS RUI | LE ON (| COMPETITIO | ON: | | | |
| 4. | THE G | T OF THIS RUI EOGRAPHICAL MENTED: | LE ON (L AREA | COST OF LIV WHERE TH | VING / IE RUL | AND DOIN LE IS TO B | G BUSINESS E | 3 IN |
| 5. | EFFEC AREA I | T OF THIS RUL HERE THE RUL | LE ON E LE IS TO | EMPLOYMEI D BE IMPLEI | NT IN MENT | THE GEOGED: | GRAPHICAL | |
| 6. | SOUR(ENFOR | CE OF REVENU RCING THIS RU | JE TO E ILE: | E USED FO | R IMP | LEMENTI | NG AND | |
| 7. | AFFEC | HORT-TERM/LO TED PERSONS THE COSTS AN | S, INCLU | JDING ANAI | LYSIS | OF PERSO | ONS WHO W | VII I |
| 8. | UNCER | RTAI N TIES ASS | OCIATI | ED WITH TH | łΕ ES⁻ | TIMATED F | BENEFITS A | ND |

BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON:

- 9. THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH:
- 10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED:
- 11. OTHER COMMENTS:

ALABAMA DEPARTMENT OF REVENUE Sales & Use Tax Division

NOTICE OF INTENDED ACTION

RULE NO. & TITLE

810-16-1-.01

State Sales, Use, and Lodgings Tax Exemption for Qualified

Production Companies

INTENDED ACTION:

Repeal the above rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to repeal Rule 810-16-1-.01 which is currently located in Administrative Rule Chapter 810-16-1. The purpose of this action is to move the above rule from its existing location and place it in Administrative Rule Chapter 810-6-3.

RULE NO. & TITLE

810-6-3-.52

State Sales, Use, and Lodgings Tax Exemption for Qualified

Production Companies

INTENDED ACTION:

Adopt a new rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to adopt the above rule which pertains to sales, use and lodgings tax exemptions for qualified production companies. This rule is currently located in Administrative Rule Chapter 810-16-1 and should be relocated to the sales and use tax chapter of administrative rules.

RULE NO. & TITLE

810-15-1-.01

Hospital Assessment for Medicaid

INTENDED ACTION:

Repeal the above rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to repeal Rule 810-15-1-.01 which is currently located in Administrative Rule Chapter 810-15-1. The purpose of this action is to move the above rule from its existing location and place it in Administrative Rule Chapter 810-6-5.

RULE NO. & TITLE

810-6-5-.27.02

Hospital Assessment for Medicaid

INTENDED ACTION:

Adopt a new rule

<u>SUBSTANCE OF PROPOSED ACTION:</u> The department proposes to adopt the above rule which pertains to hospital assessments for Medicaid. This rule is currently located in Administrative Rule Chapter 810-15-1 and should be relocated to the sales and use tax chapter of administrative rules.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held at 2:00 p.m. on Wednesday, December 11, 2013, Room 1203, First Floor, Gordon Persons Building, located at 50 N Ripley Street, Montgomery, Alabama. Copies of the rule(s) can be obtained at www.revenue.alabama.gov/rulehear.html.

All interested parties may present their views in writing to the Secretary of the Alabama Department of Revenue, Room 4131, Gordon Persons Building, 50 N Ripley Street, Montgomery, Alabama 36132 at any time during the thirty-five (35) day period following publication of the notice or by appearing at the hearing.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, December 11, 2013

CONTACT PERSON AT AGENCY:

Patricia Toles Alabama Department of Revenue 4131 Gordon Persons Building Montgomery, Alabama 36132 (334) 242-1380

> Michael D. Gamble, Secretary Alabama Department of Revenue

0915APC.INT

810-15-1-.01 Hospital Assessment for Medicaid. (REPEALED)

- Act 2009-549 provides for an assessment on each privately operated hospital in the state of Alabama as funding for the Alabama Medicaid program. Assessment amounts were to be paid in 8 equal quarterly installments on the first day of each quarter of the State's 2010 and 2011 fiscal years. Accordingly, the first quarterly installment was to be due on October 1, 2009.
- (2) The Act provides that the initial installment payment would not be due until the Department of Revenue has notified the affected hospitals that the State's Hospital Funding Program has been approved by the Centers for Medicare and Medicaid Services (CMS), the 30-day verification period allowed to the hospitals had expired, and all the disproportionate share hospital payments for the fiscal year have been made. Because the approval of CMS has not been obtained and the Department has been barred from issuing the required notice, the installment payments that would otherwise have been due from the hospitals have been in suspension status. However, each hospital subject to the assessment will be expected to pay all quarterly installment payments, after the required notice is given. Accordingly, all suspended installment payments will become due on the 31st day after the notice is given. The remaining installment payments will continue to be due as statutorily provided.
- As an alternative to the due date for the suspended installment payments on the 31st day after notice is given, a hospital may choose to make the first four installment payments on the following dates: August 4, 2010, August 18, 2010, September 1, 2010 and September 22, 2010. If a hospital elects to make the first four payments on the above dates, all such payments will be considered to be timely made. For each hospital electing to make the first four installment payments on the above dates, the fifth installment payment will be due on October 20, 2010. The remaining three installment payments will be due as statutorily provided, on the first day of each calendar quarter. If a hospital does not elect to make the required payments on the above alternate due dates, all the required suspended payments will be due on the 31st day after the notice is given, and the installment payments which will be due after the notice is given, will be due as statutorily provided.

Author:

Traci Floyd, Charles Hines

Authority:

Sections 40-2A-7(a)(5) and 40-26B-72, Code of Alabama 1975

History:

New rule: Filed July 23, 2010, effective August 27, 2010.