

(5) SHALL INITIATE CONDUCT AN AUDIT OF EACH PRIVATE PROVIDER EVERY 4 YEARS.

(I) THE ADMINISTRATION SHALL ACCEPT AS FINAL THE PRIVATE PROVIDER'S YEAR-END REPORT IF:

(1) THE ADMINISTRATION FAILS TO PROVIDE WRITTEN APPROVAL OR A WRITTEN EXPLANATION OF THE ANY ITEMS IN DISPUTE WITHIN 1 YEAR AFTER RECEIVING THE REPORT; OR

(2) THE ADMINISTRATION FAILS TO RECONCILE THE YEAR-END REPORT WITHIN 1 YEAR AFTER RECEIVING THE REPORT.

(J) IF THE ADMINISTRATION FAILS TO INITIATE CONDUCT AN AUDIT OF A PRIVATE PROVIDER AS REQUIRED IN SUBSECTION (H)(5) OF THIS SECTION, THE ADMINISTRATION MAY NOT AUDIT THE PRIVATE PROVIDER FOR ANY FISCAL YEAR THAT BEGAN MORE THAN 48 MONTHS BEFORE THE ADMINISTRATION'S NOTIFICATION OF AUDIT, UNLESS THE ADMINISTRATION SUSPECTS FRAUD OR MISAPPROPRIATION OF FUNDS.

(K) PRIVATE PROVIDERS SHALL PROVIDE THE YEAR-END REPORT TO THE ADMINISTRATION NO LATER THAN 6 MONTHS AFTER THE END OF THE STATE FISCAL YEAR.

SECTION 2. AND BE IT FURTHER ENACTED, That notwithstanding any other provision of law, for fiscal year 2000, general funds appropriated in connection with the Waiting List Initiative within the Developmental Disabilities Administration of the Department of Health and Mental Hygiene that remain unexpended at the end of the fiscal year shall not revert to the General Fund and shall remain available for expenditure on the Waiting List Initiative in the subsequent fiscal year.

SECTION 3. AND BE IT FURTHER ENACTED, That the process established by this Act for the Developmental Disabilities Administration review of private provider submitted year-end reports, begin with the reports required at the end of the 1999 fiscal year.

SECTION 2. 4. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 1999.

Approved April 27, 1999.

CHAPTER 205

(House Bill 69)

AN ACT concerning

Assisted Living Programs - Licensure *and* Inspections

FOR the purpose of providing that the term of licensure for an assisted living program is 2 years; requiring the Department of Health and Mental Hygiene to