

~~(C) "ERROR RATE" MEANS ONE LESS THE AMOUNT OF THE FINAL REPORTS DIVIDED BY THE AMOUNT OF THE INITIAL REPORTS IN THE CONTRACT PERIOD.~~

~~(D)~~ (B) "FINAL REPORT" MEANS THE ~~CONTRACTOR~~ THIRD PARTY LIABILITY AUDIT REPORT ISSUED TO THE DEPARTMENT AND A NURSING HOME STATING THE TOTAL AMOUNT DUE TO THE DEPARTMENT AS A RESULT OF THE COMPLETED AUDIT.

~~(E) "INITIAL REPORT" MEANS THE CONTRACTOR REPORT ISSUED TO THE PROVIDER STATING THE CONTRACTOR'S PROPOSED ADJUSTMENTS.~~

~~(F)~~ (C) "NURSING HOME" HAS THE MEANING STATED IN § 19-1401(E) OF THIS TITLE.

~~(G)~~ (D) (1) "THIRD PARTY" MEANS ANY INDIVIDUAL, ENTITY, OR PROGRAM THAT IS OR MAY BE LIABLE TO PAY ALL OR PART OF THE MEDICAL COST OF ANY MEDICAL ASSISTANCE FURNISHED TO A RECIPIENT UNDER THE MEDICAL ASSISTANCE PROGRAM.

(2) "THIRD PARTY" INCLUDES PRIVATE HEALTH INSURANCE, EMPLOYMENT-RELATED HEALTH INSURANCE, MEDICAL SUPPORT FROM ABSENT PARENTS, AUTOMOBILE INSURANCE, COURT JUDGMENTS OR SETTLEMENTS FROM A LIABILITY INSURER, STATE WORKERS' COMPENSATION, FIRST PARTY PROBATE-ESTATE RECOVERIES, OR ANY FEDERAL PROGRAMS.

~~(H)~~ (E) "THIRD PARTY LIABILITY AUDIT" MEANS A FINANCIAL REVIEW OF MEDICAL ASSISTANCE PAYMENTS TO A PROVIDER TO ASCERTAIN THE LEGAL LIABILITY OF THIRD PARTIES TO PAY FOR CARE AND SERVICES AVAILABLE UNDER THE MEDICAL ASSISTANCE PROGRAM.

(F) "THIRD PARTY LIABILITY REVIEW" MEANS A FINANCIAL REVIEW OF THE CREDIT BALANCES OF A NURSING HOME TO ASCERTAIN THE LEGAL LIABILITY OF THIRD PARTIES TO PAY FOR CARE AND SERVICES AVAILABLE UNDER THE MEDICAL ASSISTANCE PROGRAM.

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(A) A NURSING HOME THAT RECEIVES PAYMENT FROM THE MEDICAL ASSISTANCE PROGRAM SHALL PROVIDE A REPORT OF THE CREDIT BALANCES OF THE NURSING HOME TO THE DEPARTMENT ON A QUARTERLY BASIS.

~~(A)~~ (B) THE DEPARTMENT SHALL CONDUCT A THIRD PARTY LIABILITY AUDIT REVIEW OF THE REPORT OF THE CREDIT BALANCES PROVIDED UNDER SUBSECTION (A) OF THIS SECTION. EACH NURSING HOME THAT RECEIVES PAYMENT FROM THE MEDICAL ASSISTANCE PROGRAM.

(C) THE DEPARTMENT MAY CONDUCT A THIRD PARTY LIABILITY AUDIT OF A RANDOM SAMPLE OF THE REPORTS OF CREDIT BALANCES REVIEWED UNDER SUBSECTION (B) OF THIS SECTION.

(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT MAY CONDUCT A THIRD PARTY LIABILITY AUDIT OF A NURSING HOME