

~~(2) THE PAYMENT OF THE ASSESSMENT BY THE NURSING FACILITY SHALL BE BASED ON NET RECEIPTS, NOT INCLUDING MEDICARE, FOR THE PREVIOUS 3 MONTH PERIOD FOR WHICH THE NURSING FACILITY HAS BEEN PAID THE FULLY FUNDED MEDICAID REIMBURSEMENT RATE.~~

(C) (1) ON OR BEFORE THE 60TH DAY AFTER EACH QUARTER OF THE STATE FISCAL YEAR, EACH NURSING FACILITY SUBJECT TO THIS SECTION SHALL PAY TO THE COMPTROLLER AN AMOUNT DETERMINED BY THE DEPARTMENT BASED ON AN AMOUNT PER NON-MEDICARE DAY OF SERVICE FOR THE PREVIOUS FISCAL QUARTER.

(2) THE ASSESSMENT SHALL BE BASED ON AN AMOUNT PER PATIENT DAY, NOT INCLUDING MEDICARE DAYS, NECESSARY TO FULLY FUND THE NURSING FACILITY PAYMENT SYSTEM AS PROVIDED UNDER SUBSECTION (B)(3) OF THIS SECTION.

(D) (1) ALL AMOUNTS COLLECTED BY THE STATE COMPTROLLER UNDER THIS SECTION SHALL BE DISTRIBUTED TO A SPECIAL FUND, TO BE USED BY THE DEPARTMENT ONLY TO FUND REIMBURSEMENTS TO NURSING FACILITIES UNDER THE MEDICAID PROGRAM.

(2) THE FUNDS ALLOCATED BY THE DEPARTMENT AS REIMBURSEMENTS TO NURSING FACILITIES UNDER THIS SECTION SHALL BE IN ADDITION TO AND MAY NOT SUPPLANT FUNDS ALREADY APPROPRIATED FOR THIS PURPOSE.

~~(3) (i) 1. IN CONSULTATION WITH REPRESENTATIVES OF NURSING FACILITIES AND OTHER STAKEHOLDERS, THE DEPARTMENT SHALL DEVELOP ACCOUNTABILITY MEASURES THAT INDICATE QUALITY OF CARE OR A COMMITMENT TO QUALITY OF CARE, TO BE USED FOR DISTRIBUTION OF A PORTION OF THE REVENUES FROM THE ASSESSMENT UNDER THIS SECTION TO NURSING FACILITIES SUBJECT TO THIS SUBSECTION.~~

~~2. THE ACCOUNTABILITY MEASURES DEVELOPED UNDER THIS PARAGRAPH SHALL BE OBJECTIVE AND MEASURABLE, AND, WHEN CONSIDERED IN COMBINATION WITH EACH OTHER, SHALL HAVE A CORRELATION TO RESIDENTS' QUALITY OF LIFE AND CARE.~~

~~(ii) BEGINNING JULY 1, 2008, SUBJECT TO RESTRICTIONS UNDER FEDERAL LAW, UP TO 75% OF THE REVENUES FROM THE ASSESSMENT UNDER THIS SECTION MAY BE DISTRIBUTED TO NURSING FACILITIES SUBJECT~~