

Article - Health - General

15-108.

- (a) In this section, "board" means an appeal board established under this section.
- (b) (1) The Secretary may:
- (i) Establish one or more boards for purposes of this section; and
- (ii) Designate the jurisdiction of a board.
- (2) A board shall consist of 3 members.
- (3) Of the 3 board members:
- (i) 2 shall be appointed by the Secretary; and
- (ii) 1 shall be chosen by the appointed members.
- (4) Of the 2 appointed members of a board:
- (i) 1 shall be a representative of the industry affected who is an individual knowledgeable in Medicare and Medicaid reimbursement principles; and
- (ii) 1 shall be an individual who is employed by this State and knowledgeable in Medicare and Medicaid reimbursement principles and who does not participate directly in the field verifications.
- (c) (1) If the Department or an agent of the Department does a field verification of the costs and allowable charges of a facility that participates in the Program, the Department or agent shall notify the facility of the results of the field verification.
- (2) WITHIN 60 DAYS AFTER THE FACILITY RECEIVES THE NOTIFICATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT SHALL PAY THE FACILITY THE AMOUNT THE DEPARTMENT HAS DETERMINED IS DUE THE FACILITY BY THE DEPARTMENT REGARDLESS OF WHETHER OR NOT THE FACILITY FILES AN APPEAL.
- (d) (1) A facility may appeal the results of a field verification by filing written notice with the appropriate board within 30 days after the facility receives the notice from the Department or its agent.
- (2) (1) WITHIN 30 DAYS AFTER THE FILING OF AN APPEAL TO THE BOARD BY A FACILITY THAT THE DEPARTMENT HAS DETERMINED OWES MONEY TO THE STATE, THE DEPARTMENT SHALL RECALCULATE THE AMOUNT THAT IS DUE TO THE STATE BASED ON THE FIELD VERIFICATION, EXCLUSIVE OF THE AMOUNT IN CONTROVERSY WHICH IS SUBJECT TO THE APPEAL, AND SHALL NOTIFY THE FACILITY OF THAT AMOUNT.