

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

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HOUSE BILL 573

Short Title: Fair Medicaid ASC Reimbursements. (Public)

Sponsors: Representatives White, Sasser, and K. Baker (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Health, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House

April 6, 2023

A BILL TO BE ENTITLED

AN ACT TO ENSURE FAIR REIMBURSEMENT UNDER THE MEDICAID PROGRAM OF SERVICES PERFORMED IN AN AMBULATORY SURGERY CENTER.

The General Assembly of North Carolina enacts:

SECTION 1. Consistent with the Medicaid State Plan, Attachment 4.19-B, Section 9, Page 2, the Department of Health and Human Services, Division of Health Benefits (DHB), shall set and adjust rates for new services provided by licensed ambulatory surgical centers so that these services are reimbursed at ninety-five percent (95%) of the Medicare Ambulatory Surgical Centers fee schedule in effect as of January 1 of each year.

SECTION 2. All of the following shall apply to the new Healthcare Common Procedure Coding System (HCPCS) procedure code G0330, which was adopted by DHB as of January 1, 2023, and incorporated into the Medicaid Clinical Coverage Policy 4A: Dental Services:

- (1) DHB shall not reimburse ambulatory surgical centers based solely on the length of the procedure. As of July 1, 2023, DHB shall reimburse ambulatory surgical centers so that services billed under procedure code G0330 are reimbursed at ninety-five percent (95%) of the total payment rate listed on the Medicare Part B Hospital Outpatient Prospective Payment System (OPPS), in effect as of January 1, 2023. Starting January 1, 2024, and each year thereafter, DHB shall update these rates annually so that services are reimbursed at ninety-five percent (95%) of the Medicare Part B OPPS payment rate, in effect as of January 1, for that procedure code.
- (2) Because services billed under procedure code G0330 are surgical procedures and not traditional dental procedures, all standard benefit plans and BH IDD tailored plans shall be required to cover these procedures.

SECTION 3. There is appropriated from the General Fund to the Department of Health and Human Services, Division of Health Benefits, the sum of five hundred thousand dollars (\$500,000) in recurring funds for each year of the 2023-2025 fiscal biennium to be used to implement this act. These funds shall provide a State match for nine hundred fifty thousand dollars (\$950,000) in recurring federal funds for each year of the 2023-2025 fiscal biennium, and those federal funds are appropriated to the Division of Health Benefits to be used to implement this act.

SECTION 4. This act is effective when it becomes law.

