

**205.6336 Certification to Interim Joint Committee on Appropriations and Revenue of general fund savings realized from procedures adopted to control health-care costs -- Transfer of savings to trust fund.**

- (1) The secretary of the Finance and Administration Cabinet, after consultation with the secretary for the Cabinet for Health and Family Services, shall on a quarterly basis, certify to the Interim Committee on Appropriations and Revenue the general fund savings realized from the procedures required by KRS 205.6310 to 205.6332 and any other procedures adopted by the Cabinet for Health and Family Services to control the cost of health care.
- (2) The certification shall indicate the following:
  - (a) The means by which savings were achieved, including a description of the discrete procedure used to achieve the savings; and
  - (b) The amount saved as a result of the specific procedure, including an explanation as to the calculations and assumptions used in determining the amount.
- (3) The amount certified by the secretary under this section shall be transferred to a trust account to be utilized by the secretary of the Cabinet for Health and Family Services to provide health-care coverage for additional categories of citizens, but the funds in the trust account shall not be spent until appropriated by the General Assembly. The funds in the trust account shall not lapse. The secretary shall give priority in utilizing any appropriated trust account funds to matching available federal funds in the Medicaid program.
- (4) Savings in the general fund appropriation for the Medicaid program shall be determined as follows:
  - (a) To the extent that the average cost per month per eligible actually experienced by the Medicaid program is less than the average cost per month per eligible reflected in the enacted budget, the savings attributable to that difference shall be deemed to be eligible for certification under this section.
  - (b) To the extent that the number of eligibles actually participating in the Medicaid program is less than the number reflected in the enacted budget, the savings attributable to that difference shall be deemed not eligible for certification under this section.
- (5) Savings in the general fund appropriation to the Department for Behavioral Health, Developmental and Intellectual Disabilities shall be determined by certifying the amount of Medicaid payments received by the department and the entities it funds that would not have been received under the eligibility requirements for the Medicaid program in effect for the 1993-1994 fiscal year.
- (6) Savings in the general fund appropriation to the Department for Public Health shall be determined by certifying the amount of Medicaid payments received by the department and the entities it funds that would not have been received under the eligibility requirements for the Medicaid program in effect for the 1993-1994 fiscal year.
- (7) Savings in the general fund appropriation to the Department for Community Based

Services shall be determined by certifying the amount of Medicaid payments received by the department and the entities it funds that would not have been received under the eligibility requirements for the Medicaid program in effect for the 1993-1994 fiscal year.

- (8) Only those savings that can be certified as being recurring shall be transferred to the trust fund.

**Effective:** July 12, 2012

**History:** Amended 2012 Ky. Acts ch. 146, sec. 65, effective July 12, 2012; and ch. 158, sec. 29, effective July 12, 2012. -- Amended 2005 Ky. Acts ch. 99, sec. 53, effective June 20, 2005. -- Amended 2000 Ky. Acts ch. 14, sec. 34, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 426, sec. 215, effective July 15, 1998. -- Created 1994 Ky. Acts ch. 512, sec. 92, effective July 15, 1994.

**Legislative Research Commission Note (7/12/2012).** This statute was amended by 2012 Ky. Acts chs. 146 and 158, which do not appear to be in conflict and have been codified together.