



STATE OF MICHIGAN  
OFFICE OF THE GOVERNOR  
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GRETCHEN WHITMER  
GOVERNOR

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LT. GOVERNOR

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Michigan Senate  
State Capital  
Lansing, Michigan 48909-7536

Senators,

Today I signed SB 348, which provides that when the Department of Health and Human Services issues a new interpretation of Medicaid provider policy that directly affects nursing facility Medicaid costs reports, the change in policy must have a prospective effective date.

I am giving this bill my approval because I agree that when the department reinterprets Medicaid provider policy—usually by issuing a Policy Bulletin (e.g. MSA 19-28)—that change should apply prospectively in order to give providers adequate notice of the change. Nevertheless, this bill does not affect the department's application of a current interpretation of policy to a new factual scenario. It also does not restrict the department's ability to apply its current interpretation of policy to audits of prior fiscal years, so long as the current interpretation of policy was in effect during the relevant audit period.

Respectfully,

Gretchen Whitmer  
Governor