

**422.115 NAC Designation of pools of hospitals and distribution of disproportionate share payments to each pool; requirements; limitations; calculation of total computable payments. ([NRS 422.390](#))**

1. Except as otherwise provided in *subsections 2 and 3* [~~subsection 2~~], the Division will initially distribute for:

(a) Pool A, which consists of all public hospitals in counties whose population is 700,000 or more, total annual disproportionate share payments in the amount of 87.97 percent of the total computable disproportionate share hospital supplemental payments for the fiscal year;

(b) Pool B, which consists of all private hospitals in counties whose population is 700,000 or more, total annual disproportionate share payments in the amount of 1.69 percent of the total computable disproportionate share hospital supplemental payments for the fiscal year;

(c) Pool C, which consists of all private hospitals in counties whose population is 100,000 or more but less than 700,000, total annual disproportionate share payments in the amount of 5.86 percent of the total computable disproportionate share hospital supplemental payments for the fiscal year;

(d) Pool D, which consists of all public hospitals in counties whose population is less than 100,000, total annual disproportionate share payments in the amount of 1.34 percent of the total computable disproportionate share hospital supplemental payments for the fiscal year; and

(e) Pool E, which consists of all private hospitals in counties whose population is less than 100,000, total annual disproportionate share payments in the amount of 3.14 percent of the total computable disproportionate share supplemental payments for the fiscal year.

*2. Except as otherwise provided in subsection 3, for fiscal years 2023 and 2024 the Division will initially distribute for:*

*(a) Pool A, which consists of all public hospitals in counties whose population is 700,000 or more, total annual disproportionate share payments in the amount of 32.46 percent of the total computable disproportionate share hospital supplemental payments for the fiscal year;*

*(b) Pool B, which consists of all private hospitals in counties whose population is 700,000 or more, total annual disproportionate share payments in the amount of 9.49 percent of the total computable disproportionate share hospital supplemental payments for the fiscal year;*

*(c) Pool C, which consists of all private hospitals in counties whose population is 100,000 or more but less than 700,000, total annual disproportionate share payments in the amount of 32.90 percent of the total computable disproportionate share hospital supplemental payments for the fiscal year;*

*(d) Pool D, which consists of all public hospitals in counties whose population is less than 100,000, total annual disproportionate share payments in the amount of 5.90 percent of the total computable disproportionate share hospital supplemental payments for the fiscal year; and*

*(e) Pool E, which consists of all private hospitals in counties whose population is less than 100,000, total annual disproportionate share payments in the amount of 19.25 percent of the total computable disproportionate share supplemental payments for the fiscal year.*

**3[2].** A hospital may not receive a disproportionate share payment unless the hospital meets all the requirements:

(a) Established by federal and state statutes and regulations; and

(b) As prescribed in the State Plan for Medicaid.

**4[3].** A hospital is not entitled to receive a disproportionate share payment that is greater than the amount of its uncompensated care costs.

**5[4].** *Except as otherwise provided in subsection 6, the ~~The~~ Division will calculate the total computable disproportionate share supplemental payments by dividing the amount allocated to this State pursuant to 42 U.S.C. § 1396r-4(f) by the federal medical assistance percentage for the current year determined pursuant to 42 U.S.C. § 1396d(b).*

**6.** *If the Division determines there is a justification to reduce the total computable disproportionate share supplemental payments calculated pursuant to subsection 5, it may reduce the total computable disproportionate share supplemental payments to an amount that is not less than the amount calculated where the credits pursuant to subsection 4 of NAC 422.105 are equal to the sum of the intergovernmental transfers required pursuant to the calculations in subsections 1 and 2 of NAC 422.105.*

(Added to NAC by Div. of Health Care Fin. & Policy by R033-10, eff. 6-30-2010; A by R086-13, 12-22-2014)