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LOBBYING REPORT

Lobbying Disclosure Act of 1995 (Section 5) - All Filers Are Required To Complete This Page

1. Registrant Name <u>BAKER Healthcare Consulting, Inc.</u>			
2. Address <input type="checkbox"/> Check if different than previously reported <u>One American Square, Suite 2000, Box 82058</u>			
3. Principal Place of Business (if different from line 2) City: <u>Indianapolis</u> State/Zip (or Country) <u>IN 46282</u>			
4. Contact Name <u>Dale E. Baker</u>	Telephone <u>317-631-3613</u>	E-mail (optional) <u>Bakerhealthcare@yahoo.com</u>	5. Senate ID # <u>5164</u>
7. Client Name <input type="checkbox"/> Self <u>Tift General Hospital</u>	6. House ID # <u>3356</u>		

TYPE OF REPORT 8. Year 2001 Midyear (January 1-June 30) OR Year End (July 1-Decer

9. Check if this filing amends a previously filed version of this report

10. Check if this is a Termination Report ⇒ Termination Date _____

11. No Lobbying /

INCOME OR EXPENSES - Complete Either Line 12 OR Line 13

12. Lobbying Firms

INCOME relating to lobbying activities for this reporting period was:

Less than \$10,000

\$10,000 or more ⇒ \$ _____
Income (nearest \$20,000)

Provide a good faith estimate, rounded to the nearest \$20,000, of all lobbying related income from the client (including all payments to the registrant by any other entity for lobbying activities on behalf of the client).

13. Organizations

EXPENSES relating to lobbying activities for this reporting period were:

Less than \$10,000

\$10,000 or more ⇒ \$ _____
Expenses (nearest \$20,000)

14. REPORTING METHOD. Check box to indicate accounting method. See instructions for description of

Method A. Reporting amounts using LDA definition

Method B. Reporting amounts under section 6033(c) Internal Revenue Code

Method C. Reporting amounts under section 162(e) Internal Revenue Code

Signature

Dale E. Baker

Printed Name and Title Dale E. Baker, President

LD-2 (REV. 6/98)

PAG



Registrant Name BAKER Healthcare Consulting, Inc Client Name Tift General Hosp

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant is engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code information as requested. Attach additional page(s) as needed.

15. General issue area code MMM (one per page)

16. Specific lobbying issues
See Attached

17. House(s) of Congress and Federal agencies contacted Check if None

Senate
House of Representatives

18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)

19. Interest of each foreign entity in the specific issues listed on line 16 above Check if None

Signature John E. Bah Date 8-13-01

Printed Name and Title John E. Bahor, President



HALL,
RENDER, KILLIAN,
HEATH & LYMAN

Attorneys at Law

Professional Service Corporation

Suite 2000, Box 82064
One American Square, Indianapolis, IN 46282
(317) 633-4884 Fax: (317) 633-4878

February 22,

Health Care Financing Administration
Office of the Attorney Advisor
Room C3-01-20
7500 Security Boulevard
Baltimore, MD 21244-1850

Re: Tift General Hospital
Provider No. 11-0095
Federal Fiscal Year Beginning 10/01/00
Case No. 99C0554

Dear Ladies and Gentlemen:

We represent Tift General Hospital ("Tift"), which is a subsection (d) provider Hospital under section 1886 of the Social Security Act. Tift submitted, in a timely manner, an application to the Medicare Geographic Classification Review Board ("the Board" or "MGCRB") for geographic redesignation in accordance with 42 C.F.R. 412.230 for the federal fiscal year beginning October 1, 2000 through September 30, 2001.

On February 8, 2000 the Board denied the Tift's request for redesignation for the purpose of using the wage index of the Albany, Georgia MSA. The decision of the Board is attached as Appendix I. We respectfully request that the Administrator overturn the denial of the wage index request and grant Tift geographic redesignation for discharges occurring from October 1, 2000 through September 30, 2001 using the Albany, Georgia MSA wage index.

FACTS

The Board found that Tift's average hourly wage was only 72.5962% of the average hourly wage of the Albany, Georgia MSA. Since this was lower than the required 84% threshold, the Board denied the Hospital's request for a wage index reclassification.

On November 5, 1999 we filed additional information with the Board in support of Tift's application. Our filing stated that one of the two hospitals in Albany, Georgia (Phoebe Putney Hospital, Provider No. 11-0007) likely had seriously flawed data included in its wage index computation. We noted that the average hourly wage of this hospital had increased 45.78% from

Indianapolis North Office: 8402 Harcourt Road, Suite 820, Indianapolis, IN 46260 (317) 871-6222 Fax: (317) 338-3946
Louisville Office: AEGON Center, Suite 1530, 400 West Market Street, Louisville, KY 40202 (502) 568-1890 Fax: (502) 568-4878

reclassification for purposes of the standardized amount. If the hospital uses a different methodology to make the cost comparison based on acceptable data the MGCRB may nevertheless determine that the hospital has demonstrated that it qualifies for reclassification."

From the above, it is clear that the MGCRB and HCFA have discretion to accept alternative criteria based on acceptable data and determine that a hospital demonstrates that it qualifies for reclassification. Thus, we submit that both the Board and HCFA have the authority to approve the Tift reclassification request based on substantial evidence of an error in the federal fiscal year 2000 Albany, Georgia MSA wage index that prevents Tift from being reclassified. This denial is particularly inequitable since Tift, without the intervention of HCFA or its fiscal intermediary, is powerless to correct the inherent error in the Albany, Georgia MSA wage index. Additionally, based on trending of data from previous years to 2000, Tift would surely meet the 84% threshold if reasonably accurate wage data was included in the Albany wage index.

In the alternative the Board or HCFA could extend the prior year's wage index reclassification of Tift to the year 2000. There is ample precedent for this treatment since the Board has granted two-year reclassifications for federal fiscal year 1993.

We suggest that HCFA has the authority and responsibility to ensure equitable payment to Tift in these circumstances. We submit that there are two methodologies available to HCFA to fix this obvious error and reclassify Tift to the Albany, Georgia, MSA. We therefore ask the Administrator to reverse the denial of the MGCRB and reclassify Tift to the Albany, Georgia MSA for federal fiscal year 2001.

Should you have any further questions, please do not hesitate to advise us.

Sincerely,

HALL, RENDER, KILLIAN, HEATH & LYMAN, P.S


John C. Render

JCR/kks

Enclosures

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