



# Senate

General Assembly

**File No. 372**

January Session, 2011

Substitute Senate Bill No. 1064

*Senate, April 5, 2011*

The Committee on Human Services reported through SEN. MUSTO of the 22nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING NOTIFICATION OF FINANCIAL STABILITY OF NURSING HOME FACILITIES AND MANAGED RESIDENTIAL COMMUNITIES TO PATIENTS AND RESIDENTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2011*) If a nursing home facility,  
2 as defined in section 19a-521 of the general statutes, is placed in  
3 receivership pursuant to sections 19a-541 to 19a-549, inclusive, of the  
4 general statutes, or has filed a petition for relief under the United  
5 States Bankruptcy Code, the nursing home facility shall notify each  
6 person seeking admission as a patient or admitted as a patient to the  
7 nursing home facility that the nursing home facility has been placed in  
8 receivership or has filed such petition.

9 Sec. 2. (NEW) (*Effective October 1, 2011*) If a managed residential  
10 community, as defined in section 19a-693 of the general statutes, has  
11 filed a petition for relief under the United States Bankruptcy Code, the  
12 managed residential community shall notify each person seeking  
13 residency in the managed residential community and each resident of



The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

The bill has no fiscal impact as it requires nursing homes and managed residential communities to provide certain notices of their financial status, which is not anticipated to impact state payments to such facilities.

**The Out Years**

**State Impact:** None

**Municipal Impact:** None

**OLR Bill Analysis****sSB 1064*****AN ACT CONCERNING NOTIFICATION OF FINANCIAL STABILITY OF NURSING HOME FACILITIES AND MANAGED RESIDENTIAL COMMUNITIES TO PATIENTS AND RESIDENTS.*****SUMMARY:**

This bill requires any nursing home or residential care facility that is placed in receivership or files for bankruptcy to inform patients and anyone seeking admission as a patient. The bill also requires a managed residential community that has filed for bankruptcy to inform its residents and anyone seeking admission.

The bill defines a “managed residential community,” by reference as a facility consisting of private residential units that provides a managed group living environment consisting of housing and services for people primarily age 55 or older. The term does not include state-funded congregate housing facilities.

EFFECTIVE DATE: October 1, 2011

**BACKGROUND*****Receivership***

A court may appoint a receiver for a nursing home or residential care facility if the facility:

1. is operating without a license or its license has been suspended or revoked;
2. intends to close and has not made adequate arrangements to relocate its residents at least 30 days before closing;
3. experienced or is likely to experience a serious financial loss or failure that jeopardizes its residents’ health, safety, and welfare;

or

4. substantially violates the Public Health Code, other state laws, or Medicaid or Medicare rules.

**COMMITTEE ACTION**

Aging Committee

Joint Favorable Substitute Change of Reference

Yea 11 Nay 0 (03/10/2011)

Human Services Committee

Joint Favorable

Yea 18 Nay 0 (03/22/2011)