



Senate

General Assembly

File No. 263

February Session, 2012

Senate Bill No. 139

Senate, April 4, 2012

The Committee on Public Health reported through SEN. GERRATANA of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the 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, 2012*) 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, 2012*) 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.

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**SB 139*****AN ACT CONCERNING NOTIFICATION OF FINANCIAL STABILITY OF NURSING HOME FACILITIES AND MANAGED RESIDENTIAL COMMUNITIES TO PATIENTS AND RESIDENTS.*****SUMMARY:**

This bill requires (1) nursing homes, residential care homes, rest homes with nursing supervision, and chronic and convalescent nursing homes and (2) managed residential communities (facilities in which assisted living services are provided) to notify prospective and current residents about certain financial conditions the facilities are experiencing. It requires the former to provide notice if a facility is placed in receivership or files for bankruptcy. It requires the latter to provide notice if it files for bankruptcy.

EFFECTIVE DATE: October 1, 2012

BACKGROUND***Receivership***

A court may appoint a receiver for a nursing home facility if it:

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 Change of Reference

Yea 11 Nay 0 (03/08/2012)

Public Health Committee

Joint Favorable

Yea 24 Nay 0 (03/23/2012)