



General Assembly

Substitute Bill No. 232

February Session, 2012

* SB00232HS 032612 *

AN ACT EXTENDING A MORATORIUM ON CERTAIN LONG-TERM CARE BEDS.

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

1 Section 1. Subsection (a) of section 17b-354 of the 2012 supplement
2 to the general statutes is repealed and the following is substituted in
3 lieu thereof (*Effective from passage*):

4 (a) Except for applications deemed complete as of August 9, 1991,
5 the Department of Social Services shall not accept or approve any
6 requests for additional nursing home beds or modify the capital cost of
7 any prior approval for the period from September 4, 1991, through
8 June 30, [2012] 2016, except (1) beds restricted to use by patients with
9 acquired immune deficiency syndrome or traumatic brain injury; (2)
10 beds associated with a continuing care facility which guarantees life
11 care for its residents; (3) Medicaid certified beds to be relocated from
12 one licensed nursing facility to another licensed nursing facility, to a
13 new facility to meet a priority need identified in the strategic plan
14 developed pursuant to subsection (c) of section 17b-369, or to a small
15 house nursing home, as defined in section 17b-372, provided (A) the
16 availability of beds in an area of need will not be adversely affected;
17 (B) no such relocation shall result in an increase in state expenditures;
18 and (C) the relocation results in a reduction in the number of nursing
19 facility beds in the state; (4) a request for no more than twenty beds

20 submitted by a licensed nursing facility that participates in neither the
21 Medicaid program nor the Medicare program, admits residents and
22 provides health care to such residents without regard to their income
23 or assets and demonstrates its financial ability to provide lifetime
24 nursing home services to such residents without participating in the
25 Medicaid program to the satisfaction of the department, provided the
26 department does not accept or approve more than one request
27 pursuant to this subdivision; (5) a request for no more than twenty
28 beds associated with a free standing facility dedicated to providing
29 hospice care services for terminally ill persons operated by an
30 organization previously authorized by the Department of Public
31 Health to provide hospice services in accordance with section 19a-
32 122b; and (6) new or existing Medicaid certified beds to be relocated
33 from a licensed nursing facility in a municipality with a 2004 estimated
34 population of one hundred twenty-five thousand to a location within
35 the same municipality, provided such Medicaid certified beds do not
36 exceed sixty beds. Notwithstanding the provisions of this subsection,
37 any provision of the general statutes or any decision of the Office of
38 Health Care Access, (i) the date by which construction shall begin for
39 each nursing home certificate of need in effect August 1, 1991, shall be
40 December 31, 1992, (ii) the date by which a nursing home shall be
41 licensed under each such certificate of need shall be October 1, 1995,
42 and (iii) the imposition of such dates shall not require action by the
43 Commissioner of Social Services. Except as provided in subsection (c)
44 of this section, a nursing home certificate of need in effect August 1,
45 1991, shall expire if construction has not begun or licensure has not
46 been obtained in compliance with the dates set forth in subparagraphs
47 (i) and (ii) of this subsection.

48 Sec. 2. Section 19a-638 of the 2012 supplement to the general statutes
49 is amended by adding subsection (e) as follows (*Effective from passage*):

50 (NEW) (e) Except as provided in section 17b-354, as amended by
51 this act, the office shall not accept or approve any request that would
52 add long-term acute care hospital beds to a licensed chronic disease
53 hospital from the effective date of this section through June 30, 2017.

54 For purposes of this section, "long-term acute care hospital" means a
55 hospital that (1) is primarily engaged in in-patient services, by and
56 under the supervision of a physician, to patients whose medically
57 complex conditions require a long hospital stay, (2) has an average in-
58 patient stay of greater than twenty-five days, and (3) as of January 1,
59 2012, is licensed in the state as a chronic disease hospital, as defined in
60 section 19-13-D1 of the Public Health Code, and is certified as a long-
61 term acute care hospital by the federal Centers for Medicare and
62 Medicaid Services.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	17b-354(a)
Sec. 2	<i>from passage</i>	19a-638

HS *Joint Favorable Subst.*