
OLR Bill Analysis

sHB 5283

AN ACT WAIVING ADVANCE PAYMENT RESTRICTIONS FOR CERTAIN NURSING FACILITIES.

SUMMARY:

By law, the Department of Social Services (DSS) can make Medicaid payments (reimbursements) to nursing homes in advance of normal payment processing. The bill allows DSS to advance nursing homes that are in receivership more than the amount the nursing homes estimate they are owed for the most recent two months of care they provided to their Medicaid-eligible residents. It also allows DSS to waive the requirement that it recover these payments within 90 days of issuing them by reducing any future amounts it reimburses the home. By law, the homes must request these payments.

By law, the DSS commissioner must take prudent measures to assure that the department is not making such payments to a nursing home that is at risk of bankruptcy or insolvency, and may execute agreements appropriate for seeking the repayments.

EFFECTIVE DATE: Upon passage

BACKGROUND

Nursing Homes and Receivership

The law requires the Superior Court to grant applications to have receivers appointed for a nursing home if the home:

1. is operating without a license under a suspended or revoked license;
2. intends to close and adequate arrangements for relocating its residents have not been made at least 30 days before the intended closing date;

3. has sustained or is likely to sustain a serious financial loss or failure that jeopardizes the residents' health, safety, and welfare;
or
4. is violating the public health code or any other applicable state or federal law.

Related Bill

SB 233, favorably reported by the Human Services Committee, requires DSS to make advance payments to nursing homes, when they request them, when a facility is providing uncompensated care to residents whose Medicaid applications have been pending for more than 90 days or when DSS has not paid the home within 30 days of an approved application.

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute

Yea 17 Nay 0 (03/16/2012)