
OLR Bill Analysis

sSB 232 (File 330, as amended by Senate "A") *

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

SUMMARY:

By law, most health care facilities need a certificate of need (CON) from the state if they wish to, among other things, (1) establish such a facility, (2) transfer ownership or control, (3) add beds to it, or (4) purchase equipment. This bill extends, from June 30, 2012 until June 30, 2016, the Department of Social Services' (DSS) moratorium on CONs for new nursing home beds. The law exempts certain nursing home beds from the moratorium, including those used by AIDS patients (see BACKGROUND).

The bill also prohibits the Department of Public Health (DPH) commissioner from issuing or renewing a license for certain long-term, acute care hospitals unless they were certified to participate in the Medicare program as long-term care hospitals on January 1, 2012. It appears that the only hospitals that meet these criteria are the Hospital for Special Care and Gaylord and the veterans' hospitals. The moratorium begins when the bill passes and expires on June 30, 2017.

*Senate Amendment "A" makes the long-term care hospital prohibition applicable to DPH licensing, rather than CON approval.

EFFECTIVE DATE: Upon passage

BACKGROUND

Nursing Home CON Exemptions

By law, certain nursing home beds are exempt from the CON moratorium. Some of these include beds:

1. restricted to use by AIDS or traumatic brain injury patients:

2. associated with a continuing care facility; and
3. that are Medicaid-certified and will be relocated (a) from one licensed nursing home to another, (b) to a new facility to meet a priority need indentified in its strategic plan to re-balance Medicaid long-term care supports, or (c) to a small nursing home.

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute

Yea 16 Nay 0 (03/22/2012)