

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 12-118—sSB 232
Human Services Committee

AN ACT CONCERNING A MORATORIUM ON CERTAIN LONG-TERM CARE BEDS

SUMMARY: This act extends, from June 30, 2012 until June 30, 2016, the Department of Social Services' (DSS) moratorium on accepting or approving requests for a certificate of need (CON) to add new nursing home beds or modify capital costs of any prior CON approval. The law exempts certain nursing home beds from the moratorium, including those used by AIDS patients (see BACKGROUND).

The act also prohibits the Department of Public Health (DPH) commissioner from issuing or renewing a license for certain long-term 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 this criterion (thus are eligible for licenses) are the Hospital for Special Care, Gaylord, and the veterans' hospitals. The moratorium begins when the act passes and expires on June 30, 2017.

EFFECTIVE DATE: Upon passage

BACKGROUND

Nursing Home CON Exemptions

By law, certain nursing home beds are exempt from the CON moratorium. These include beds that are:

1. solely for AIDS or traumatic brain injury patients;
2. associated with a continuing care facility; and
3. Medicaid-certified and will be relocated (a) from one licensed nursing home to another, (b) to a new facility to meet a priority need identified in DSS' strategic plan to re-balance Medicaid long-term care supports, or (c) to a small nursing home.

OLR Tracking: RC:JR:VR:ts:eh