

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 12-130—sHB 5283

Human Services Committee

**AN ACT WAIVING ADVANCE PAYMENT RESTRICTIONS FOR
CERTAIN NURSING FACILITIES**

SUMMARY: Existing law permits DSS to make Medicaid payments (reimbursements) to nursing homes, upon their request, in advance of normal payment processing. This act 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 deadline by which it must recover these payments (no later than 90 days after issuing them).

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 that:

1. is operating without a license or 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 or regulation (CGS § 19a-543).

OLR Tracking: RC:KS:PF:ro:eh