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## OLR Bill Analysis

### HB 5195

#### ***AN ACT REQUIRING NURSING HOME FACILITIES TO ELECTRONICALLY REPORT INVOLUNTARY TRANSFERS OR DISCHARGES TO THE STATE OMBUDSMAN.***

#### **SUMMARY**

This bill requires nursing homes to electronically report each involuntary discharge or transfer (1) to the Long-Term Care Ombudsman, in a manner she prescribes, and (2) on a website the ombudsman maintains in accordance with federal HIPAA privacy protections. Facilities must begin reporting this information no later than six months after the bill's passage.

By law, a nursing home may involuntarily transfer or discharge a resident only if the (1) facility cannot provide the resident adequate care, (2) resident's health has improved to the point that he or she no longer needs the home's services, (3) health or safety of individuals in the facility are endangered, (4) resident failed to pay for care after reasonable notice, or (5) facility closes. Residents and their representatives must be notified in writing of the discharge at least 30 days in advance (CGS §19a-535). Federal law also requires the home to provide the Long-Term Care Ombudsman a copy of the notice (42 CFR §483.15 (c)(3)(i)).

EFFECTIVE DATE: Upon passage

#### **BACKGROUND**

##### ***Related Bill***

HB 5196, favorably reported by the Aging Committee, requires residential care homes to report involuntary transfers and discharges to the Long-Term Care Ombudsman in the same manner.

#### **COMMITTEE ACTION**

Aging Committee

Joint Favorable

Yea 15 Nay 0 (03/10/2022)