



Senate

General Assembly

File No. 560

January Session, 2023

Substitute Senate Bill No. 1111

Senate, April 13, 2023

The Committee on Human Services reported through SEN. LESSER of the 9th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT ESTABLISHING A WORKING GROUP TO STUDY EXCESS LICENSED BED CAPACITY AT SKILLED NURSING FACILITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (*Effective from passage*) (a) The Commissioner of Social
2 Services shall appoint and convene a working group of eight members
3 to review and evaluate the incidence and implications of excess licensed
4 bed capacity and any space not presently in use in skilled nursing
5 facilities. Such review and evaluation shall include, but need not be
6 limited to: (1) A survey of excess licensed bed capacity and any space
7 not presently in use that identifies (A) licensed bed capacity, occupancy
8 percentages and the identification and location within a skilled nursing
9 facility of licensed beds not presently in operation in a closed facility
10 wing or elsewhere in the facility, (B) beds voluntarily taken out of
11 service in an open portion of the facility but where the beds remain
12 counted in the facility's licensed beds capacity, (C) any other space not
13 presently in use that was formerly used for skilled nursing facility care,
14 services and operations, and (D) beds made unavailable due to inability

15 to staff at minimum levels in accordance with section 19a-563h of the
16 general statutes or operator-preferred staffing levels; (2) a review and
17 evaluation of the efficiency and effectiveness of Medicaid payment
18 policies designed to discourage, encourage, penalize or incentivize
19 excess bed capacity in Medicaid payment rates, including, but not
20 limited to, (A) minimum occupancy rate-setting requirements, and (B) a
21 price-based component for the administrative and general component
22 of reimbursement based on the median of the peer group spending in
23 the administrative and general component of the rates; (3) a review and
24 evaluation of the mitigating implications of staffing shortages as an
25 impediment to skilled nursing facility admissions and occupancy; and
26 (4) consideration of the physical plant conditions of the existing skilled
27 nursing facilities.

28 (b) The working group members shall be: (1) Two representatives
29 from the Department of Social Services, one of whom shall be from the
30 certificate of need and rate setting division; (2) two representatives from
31 the Department of Public Health, one of whom shall be from the
32 facilities licensing division and one of whom shall be from the life safety
33 division; (3) two representatives from an organization or organizations
34 representing long-term care facilities, including, but not limited to,
35 assisted living facilities; and (4) two representatives from an
36 organization representing nonprofit, long-term care facilities. The
37 chairpersons of the working group may invite the participation of others
38 with subject matter knowledge that may be needed in the review and
39 evaluation.

40 (c) The chairpersons of the working group shall be one representative
41 of the Department of Social Services appointed pursuant to subdivision
42 (1) of subsection (b) of this section and one member of the working
43 group chosen by the members of the group. The Commissioner of Social
44 Services, or the commissioner's designee, shall schedule the first
45 meeting of the working group not later than sixty days after the effective
46 date of this section.

47 (d) Not later than December 31, 2023, the working group shall submit

48 an interim report, and not later than June 30, 2024, a final report on its
 49 findings and recommendations to the joint standing committee of the
 50 General Assembly having cognizance of matters relating to human
 51 services, in accordance with the provisions of section 11-4a of the
 52 general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

Statement of Legislative Commissioners:

In Subsec. (a), "not more than eight" was changed to "eight", in Subsec. (b), "shall include, but not be limited to" was changed to "members shall be" and the title was changed for accuracy.

HS *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which requires the Department of Social Services (DSS) to convene a working group to review and evaluate the incidence and implications of excess licensed bed capacity in skilled nursing facilities, has no fiscal impact as the agency has the expertise necessary to do so.

The Out Years

State Impact: None

Municipal Impact: None



OLR Bill Analysis

sSB 1111

AN ACT ESTABLISHING A WORKING GROUP TO STUDY EXCESS LICENSED BED CAPACITY AT SKILLED NURSING FACILITIES.

SUMMARY

The Office of Legislative Research does not analyze Special Acts.

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute

Yea 21 Nay 0 (03/28/2023)