



**PA 24-17**—sHB 5457

*Human Services Committee*

## **AN ACT CONCERNING NURSING HOME WAITING LISTS**

**SUMMARY:** This act makes various changes to waiting list requirements for Medicaid-certified nursing homes. Existing law generally requires nursing homes to (1) admit residents on a first-come, first-served basis, regardless of their payment source; (2) keep waiting lists of and admit applicants in the order they are received, with certain exceptions (e.g., when an applicant directly transfers from a home that is closing); and (3) send applicants who ask to be placed on the waiting list receipts with the time and date of the request. The act specifies that nursing homes must take these actions after accepting a “substantially completed” admissions application.

Additionally, the act does the following:

1. allows nursing homes to keep electronic waiting lists and requires them to do so by July 1, 2025 (existing regulation requires nursing homes to keep waiting lists in a single, bound book);
2. requires nursing homes to note on the waiting list whenever they pass over an applicant and include the date and reason why;
3. requires nursing homes to develop and implement waiting list policies and procedures that include, among other things, the information required to deem an admissions application “substantially completed”;
4. allows nursing homes to give admissions applications to prospective residents electronically or by posting them on the nursing home websites, instead of only by mail as required under existing regulation;
5. allows nursing homes, when communicating with applicants about continuing their waiting list placement, to do so by email, instead of only by letter, as under prior law;
6. specifies that nursing homes are not required to keep a list of inquiries from prospective residents who have not submitted a substantially completed application or give them a receipt for their inquiry, which existing regulation requires;
7. requires nursing homes to maintain their daily roster of residents by payment source (i.e., Medicare, Medicaid, or private pay) electronically, instead of in a single bound volume, as required under existing regulation; and
8. requires nursing homes to give the Department of Social Services and the Long-Term Care Ombudsman access to all records they request for an investigation by, or on behalf of, an applicant related to an admissions denial.

The act also makes technical and conforming changes.

**EFFECTIVE DATE:** Upon passage

## OLR PUBLIC ACT SUMMARY

### WAITING LIST POLICIES AND PROCEDURES

Under the act, nursing homes must develop and implement waiting list policies and procedures that do the following:

1. define information required for a home to consider an application “substantially completed” and accepted;
2. identify steps the home will take to protect the privacy of prospective residents’ information; and
3. describe how the home will keep the integrity of the electronic waiting list’s information, including steps taken to ensure the times, dates, and notifications of waiting list placements are accurately recorded.

### COMMUNICATIONS ON CONTINUED WAITING LIST PLACEMENTS

The act allows nursing homes, when communicating with applicants about continuing their waiting list placement, to do so by email, instead of only by letter.

As under existing law, unchanged by the act, nursing homes may contact applicants, or their designees, (1) at least 90 days after placing them on the waiting list, to ask if they wish to remain on it and (2) annually, to give them a waiting list placement continuation notice if they have been on the list for more than 90 days. Nursing homes may remove applicants from the waiting list if they do not respond to these communications within 30 days.