



General Assembly

January Session, 2025

**Raised Bill No. 6910**

LCO No. 3527



Referred to Committee on VETERANS' AND MILITARY  
AFFAIRS

Introduced by:  
(VA)

***AN ACT ESTABLISHING WAITING LIST EXCEPTIONS FOR SERVICE-  
CONNECTED VETERANS IN CERTAIN LONG-TERM CARE  
FACILITIES.***

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

1 Section 1. Section 19a-533 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2025*):

3 (a) As used in this section: [, (1) "nursing home"]

4 (1) "Nursing home" means any chronic and convalescent facility or  
5 any rest home with nursing supervision, as defined in section 19a-521,  
6 which has a provider agreement with the state to provide services to  
7 recipients of funds obtained through Title XIX of the Social Security  
8 Amendments of 1965; [and (2) "indigent person"]

9 (2) "Indigent person" means any person who is eligible for or who is  
10 receiving medical assistance benefits from the state;

11 (3) "Federally contracted veterans nursing home" means a nursing  
12 home that has a contract with the United States Department of Veterans

13 Affairs to provide care for veterans; and

14 (4) "Service-connected veteran" means a veteran who meets the  
15 United States Department of Veterans Affairs service-connected  
16 eligibility criteria and all applicable United States Department of  
17 Veterans Affairs eligibility requirements.

18 (b) A nursing home which receives payment from the state for  
19 rendering care to indigent persons:

20 (1) Shall be prohibited from discriminating against indigent persons  
21 who apply for admission to such facility on the basis of source of  
22 payment. Except as otherwise provided by law, all applicants for  
23 admission to such facility shall be admitted in the order in which such  
24 applicants apply for admission as evidenced by the nursing home's  
25 acceptance of a substantially completed application for admission. Each  
26 nursing home shall (A) provide a receipt to each applicant who  
27 substantially completes an application for admission to its facility who  
28 requests placement on a waiting list stating the date and time of such  
29 substantial completion and acceptance of the application by the nursing  
30 home, and (B) maintain a dated list of such applications which shall be  
31 available at all times to any applicant, the applicant's bona fide  
32 representative, authorized personnel from the Departments of Public  
33 Health and Social Services and such other state agencies or other bodies  
34 established by state statute whose statutory duties necessitate access to  
35 such lists. A nursing home may maintain such waiting list in electronic  
36 form. On and after July 1, 2025, a nursing home shall maintain such  
37 waiting list in electronic form;

38 (2) Shall provide applications for admission to prospective residents  
39 by mail, electronic transmission or Internet web site posting;

40 (3) Shall develop and implement policies and procedures related to  
41 the waiting list that address (A) what information is required for such  
42 application to be considered substantially completed and accepted by  
43 the nursing home, (B) what steps the nursing home will take to protect  
44 the privacy of information submitted by a prospective resident, and (C)

45 a description of how the integrity of information in the electronic  
46 waiting list will be maintained, including steps taken to ensure accuracy  
47 in recording of the (i) date and time a prospective resident is placed on  
48 the waiting list, and (ii) any dated notification made pursuant to  
49 subsection (c) of this section. A nursing home shall not be required to  
50 maintain a list of inquiries from prospective residents who have not yet  
51 submitted a substantially completed application for admission accepted  
52 by the nursing home, nor to provide any such person with a receipt of  
53 their inquiry;

54 (4) May, no sooner than ninety days after initial placement of the  
55 person's name on the waiting list, inquire by letter or electronic mail of  
56 such applicant and any one person if designated by such applicant  
57 whether the applicant desires continuation of the applicant's name on  
58 the waiting list. If the applicant does not respond and an additional  
59 thirty days pass, the nursing home may remove such applicant's name  
60 from its waiting list. A nursing home may annually send a waiting list  
61 placement continuation communication by letter or electronic mail to all  
62 persons on the waiting list for at least ninety days to inquire as to  
63 whether such person desires continuation of the person's name on the  
64 waiting list, provided such communication shall also be sent to any one  
65 person if designated by such applicant. If such person does not respond  
66 and at least thirty days pass, the facility may remove the person's name  
67 from its waiting list. Indigent persons shall be placed on any waiting list  
68 for admission to a facility and shall be admitted to the facility as  
69 vacancies become available, in the same manner as self-pay applicants,  
70 except as provided in subsections (f) and (g) of this section;

71 (5) Shall post in a conspicuous place a notice informing applicants for  
72 admission that the facility is prohibited by statute from discriminating  
73 against indigent applicants for admission on the basis of source of  
74 payment. Such notice shall advise applicants for admission of the  
75 remedies available under this section and shall list the name, address  
76 and telephone number of the ombudsman who serves the region in  
77 which the facility is located;

78 (6) Shall be prohibited from requiring that an indigent person pay  
79 any sum of money or furnish any other consideration, including but not  
80 limited to, the furnishing of an agreement by the relative, conservator  
81 or other responsible party of an indigent person which obligates such  
82 party to pay for care rendered to an indigent person as a condition for  
83 admission of such indigent person; and

84 (7) Shall maintain an electronic record of the number of patients who  
85 are Medicare, Medicaid and private pay patients and make such  
86 information available, upon request, to the state or regional  
87 ombudsman.

88 (c) Whenever a nursing home passes over the name of an applicant  
89 on its waiting list and admits another applicant, the nursing home shall  
90 make a dated notation on the waiting list indicating why the applicant  
91 who was passed over was not admitted. Upon the receipt of a complaint  
92 concerning a violation of this section, the Department of Social Services  
93 shall conduct an investigation into such complaint. A nursing home  
94 shall provide access to the department and the State Ombudsman to all  
95 records requested by the department or State Ombudsman for the  
96 purpose of investigating a complaint by or on behalf of an applicant  
97 related to the denial of an admission.

98 (d) The Department of Social Services is authorized to decrease the  
99 daily reimbursement rate to a nursing home for one year for a violation  
100 of this section which occurred during the twelve-month period covered  
101 by the cost report upon which the per diem rate is calculated. The per  
102 diem rate shall be reduced by one-quarter of one per cent for an initial  
103 violation of this section and one per cent for each additional violation.

104 (e) Prior to imposing any sanction, the Department of Social Services  
105 shall notify the nursing home of the alleged violation and the  
106 accompanying sanction, and shall permit such facility to request an  
107 administrative hearing, in accordance with sections 4-176e to 4-181a,  
108 inclusive. A facility shall request such hearing within fifteen days of  
109 receipt of the notice of violation from the Department of Social Services.

110 The department shall stay the imposition of any sanction pending the  
111 outcome of the administrative hearing.

112 (f) A nursing home with a number of self-pay residents equal to or  
113 less than thirty per cent of its total number of residents shall not be  
114 required to admit an indigent person on a waiting list for admission  
115 when a vacancy becomes available during the subsequent six months,  
116 provided (1) no bed may be held open for more than thirty days, and (2)  
117 the nursing home notifies the Commissioner of Social Services and the  
118 regional nursing home ombudsman office on the date on which such  
119 six-month period of waiting list exemption began and thereafter on a  
120 quarterly basis if the conditions for exemption still apply.

121 (g) A nursing home shall not be required to admit an indigent person  
122 on a waiting list for admission when a vacancy becomes available if the  
123 vacancy is in a private room.

124 (h) Notwithstanding the provisions of this section, a nursing home  
125 shall, without regard to the order of its waiting list, admit an applicant  
126 who (1) seeks to transfer from a nursing home that is closing, [or] (2)  
127 seeks to transfer from a nursing home in which the applicant was placed  
128 following the closure of the nursing home where such applicant  
129 previously resided or, in the case of a nursing home placed in  
130 receivership, the anticipated closure of the nursing home where such  
131 applicant previously resided, provided (A) the transfer occurs not later  
132 than sixty days following the date that such applicant was transferred  
133 from the nursing home where he or she previously resided, and (B)  
134 except when the nursing home that is closing transferred the resident  
135 due to an emergency, the applicant submitted an application to the  
136 nursing home to which he or she seeks admission at the time of the  
137 applicant's transfer from the nursing home where he or she previously  
138 resided, or (3) is a service-connected veteran if such nursing home is a  
139 federally contracted veterans nursing home and such applicant is  
140 eligible for care therein. A nursing home that qualifies for a waiting list  
141 exemption pursuant to subsection (f) or (g) of this section shall not be  
142 required to admit an indigent person under this subsection except when

143 the resident is being transferred from a nursing home that is closing due  
144 to an emergency. No nursing home shall be required to admit an  
145 applicant pursuant to the provisions of this subsection if the nursing  
146 home has determined that (i) the applicant does not have a payor source  
147 because the applicant has been denied Medicaid eligibility or the  
148 applicant has failed to pay a nursing home that is closing for the three  
149 months preceding the date of the application for admittance and has no  
150 pending application for Medicaid, (ii) the applicant is subject to a  
151 Medicaid penalty period, or (iii) the applicant does not require nursing  
152 home level of care as determined in accordance with applicable state  
153 and federal requirements.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2025</i>	19a-533

**VA**      *Joint Favorable*