

Senate proposal of amendment

H. 921

An act relating to nursing home oversight

The Senate proposes to the House to amend the bill as follows:

First: In Sec. 1, nursing home oversight working group; report, in subsection (c), at the end of subdivision (4), by striking out the word “and” following the semicolon

Second: In Sec. 1, nursing home oversight working group; report, in subsection (c), at the end of subdivision (5)(C), by striking out the period and inserting in lieu thereof the following: ; and

Third: In Sec. 1, nursing home oversight working group; report, in subsection (c), by adding a subdivision (6) to read as follows:

(6) review the Division of Rate Setting’s rules regarding Medicaid reimbursements to nursing homes, including whether current reimbursement amounts support ongoing financial stability and whether a 90 percent occupancy level requirement continues to be necessary and appropriate.

Fourth: By striking out Secs. 3, transfer of ownership; expedited certificate of need process, and 4, effective dates, in their entirety and inserting in lieu thereof the following:

Sec. 3. TRANSFER OF NURSING HOME OWNERSHIP; INTERIM REVIEW PROCESS

(a) The Secretary of Human Services shall develop a process by which the Agency of Human Services shall accept and review applications for transfers of ownership of nursing homes in lieu of the certificate of need process, including:

(1) examining the potential buyer’s financial and administrative capacity to purchase and operate the nursing home in a manner that will provide high-quality services and a safe and stable environment for nursing home residents;

(2) allowing the Agency of Human Services 30 calendar days from the date the application is complete to review the application and to request and obtain any additional information the Agency deems necessary in order to approve or deny the application for transfer of nursing home ownership; provided that the time during which the applicant is responding to the Agency’s request for additional information shall not be included within the Agency’s 30-day review period; and

(3) requiring the Agency of Human Services to issue a written decision approving or denying the application for transfer of nursing home ownership

within 45 calendar days following the 30-day review period.

(b) Applicants who filed a letter of intent or application for a certificate of need with the Green Mountain Care Board for transfer of nursing home ownership on or before July 1, 2018 may elect to have the proposed transfer reviewed under the process established in subsection (a) of this section in lieu of continuing with the certificate of need process. Any such applicant shall file an application with the Agency of Human Services in accordance with the process established by the Secretary.

Sec. 4. EFFECTIVE DATES

(a) Sec. 1 (Nursing Home Oversight Working Group) and this section shall take effect on passage.

(b) Sec. 2 (18 V.S.A. § 9434) shall take effect on July 1, 2018 and shall apply to all transfers of ownership initiated on or after that date.

(c) Sec. 3 (transfer of nursing home ownership; interim review process) shall take effect on July 1, 2018.