

1 TO THE HONORABLE SENATE:

2 The Committee on Health and Welfare to which was referred House Bill
3 No. 921 entitled “An act relating to nursing home oversight” respectfully
4 reports that it has considered the same and recommends that the Senate
5 propose to the House that the bill be amended as follows:

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

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

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

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

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

1 Sec. 3. TRANSFER OF NURSING HOME OWNERSHIP; INTERIM

2 REVIEW PROCESS

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

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

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

17 (3) requiring the Agency of Human Services to issue a written decision
18 approving or denying the application for transfer of nursing home ownership
19 within 45 calendar days following the 30-day review period.

20 (b) Applicants who filed a letter of intent or application for a certificate of
21 need with the Green Mountain Care Board for transfer of nursing home

1 ownership on or before July 1, 2018 may elect to have the proposed transfer
2 reviewed under the process established in subsection (a) of this section in lieu
3 of continuing with the certificate of need process. Any such applicant shall file
4 an application with the Agency of Human Services in accordance with the
5 process established by the Secretary.

6 Sec. 4. EFFECTIVE DATES

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

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

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

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17 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE