

HOUSE BILL REPORT

SHB 3204

As Passed House:
February 13, 2008

Title: An act relating to protecting medicaid residents in boarding homes.

Brief Description: Establishing requirements for boarding homes that withdraw from medicaid participation.

Sponsors: By House Committee on Health Care & Wellness (originally sponsored by Representatives Morrell, Campbell and Green).

Brief History:

Committee Activity:

Health Care & Wellness: 2/4/08, 2/5/08 [DPS].

Floor Activity:

Passed House: 2/13/08, 95-0.

Brief Summary of Substitute Bill

- Prohibits a boarding home from transferring or discharging a current resident on the basis that it is voluntarily withdrawing from the Medicaid program.
- Requires notice to persons beginning residence after the effective date of the act that the boarding home is not participating in the Medicaid program and the person may be transferred or discharged if they are unable to pay the facility charges.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives Cody, Chair; Morrell, Vice Chair; Hinkle, Ranking Minority Member; Alexander, Assistant Ranking Minority Member; Barlow, Campbell, Condotta, Green, Moeller, Pedersen, Schual-Berke and Seaquist.

Staff: Dave Knutson (786-7146).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Federal law provides that a nursing home may not transfer or discharge a resident if they become eligible for the Medicaid program while residing in the facility and are unable to pay what the facility charges for a private-pay resident. There is no comparable prohibition related to boarding homes.

Summary of Substitute Bill:

A boarding home is prohibited from transferring or discharging a current Medicaid resident or a resident who will become eligible for Medicaid within 180 days of the date of withdrawal if the resident was in private-pay status for the two previous years on the basis that the boarding home is voluntarily withdrawing from the Medicaid program. Boarding homes must provide notice to persons beginning residence after the effective date of the act that the boarding home is not participating in the Medicaid program and the person may be transferred or discharged if they are unable to pay the facility charges.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) It is cruel to transfer or discharge a resident of a boarding home because the facility decides to stop accepting Medicaid payments and the resident is too poor to pay the full cost. Many seniors live for many years in a boarding home and pay the full cost. They should not be evicted because they are poor and are on Medicaid.

(With concerns) The real problem is inadequate reimbursement rates for Medicaid. Low Medicaid reimbursement rates force facilities to charge higher fees for private-pay residents. This forces them to use up their money faster.

(Opposed) None.

Persons Testifying: (In support) Jack Gray; Bertha Mae Allen; and Bobbie H. Moody, Gene Robertson, Peter Connell, and Sarah Spring, Long-Term Care Ombudsman.

(With concerns) Julie Peterson, Association of Housing and Services for the Aging; and Gary Weeks, Tim Lehner, and Lee Field, Washington Health Care Association.

Persons Signed In To Testify But Not Testifying: (In support) Pam Privett.