

SENATE BILL REPORT

SHB 3204

As of February 22, 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: House Committee on Health Care & Wellness (originally sponsored by Representatives Morrell, Campbell and Green).

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

Committee Activity: Health & Long-Term Care: 2/25/08.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Staff: Rhoda Donkin (786-7465)

Background: Under federal law, nursing homes that voluntarily withdraw from the Medicaid program are prohibited from discharging residents who are residing in the facility on the day before the effective date of withdrawal. The law applied to residents currently receiving Medicaid benefits, as well as those who are residents but not yet Medicaid eligible.

Boarding homes with Medicaid assisted living contracts are required to provide reasonable accommodation before discharging or transferring residents. However, there is concern that some boarding homes are voluntarily withdrawing from the state's Medicaid program and in doing so, discharging Medicaid residents from their facilities.

Summary of Bill: A boarding home's voluntary withdrawal from the Medicaid program is not an acceptable basis for the transfer or discharge of persons receiving Medicaid services in the boarding home on the day before the effective date of the withdrawal. Further, boarding homes are prohibited from discharging or transferring patients who have been residing at the facilities for at least two years and would have become eligible for Medicaid within 180 days of the date of withdrawal.

Boarding homes are required to notify residents who enter the boarding home after the boarding home has withdrawn from Medicaid that they may be transferred or discharged if they become eligible for Medicaid. Notification must be oral and in writing and acknowledgment of receipt of this notice is required.

Appropriation: None.

Fiscal Note: Not requested.

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.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.