

HOUSE BILL 1215

J3

(8lr3032)

ENROLLED BILL

— Health and Government Operations/Finance —

Introduced by **Delegates Pena–Melnik, Morgan, Angel, B. Barnes, Barron, Beidle, Bromwell, Carey, Carr, Chang, Cullison, Davis, Grammer, Hayes, Haynes, Hettleman, Hill, Impallaria, Jones, Kelly, Kipke, Korman, Krebs, J. Lewis, McDonough, McMillan, Metzgar, Miele, A. Miller, Moon, Morales, Morhaim, Platt, Rosenberg, Saab, Sample–Hughes, Sophocleus, Szeliga, Valentino–Smith, West, ~~and K. Young~~ K. Young, and Pendergrass**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Nursing Homes – Partial Payment for Services Provided**

3 FOR the purpose of requiring the Maryland Department of Health to make a certain
4 advance payment to a nursing home at the request of the nursing home under certain
5 circumstances; providing that the advance payment may not exceed a certain
6 amount; requiring the Department to pay the balance due to a nursing home under
7 certain circumstances; requiring the Department to recover certain advance
8 payments in a certain manner under certain circumstances; defining a certain term;
9 providing for the termination of this Act; and generally relating to the Maryland
10 Medical Assistance Program and advance payments to nursing homes.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, without amendments,
2 Article – Health – General
3 Section 15–101(a) and (h)
4 Annotated Code of Maryland
5 (2015 Replacement Volume and 2017 Supplement)

6 BY adding to
7 Article – Health – General
8 Section 15–149
9 Annotated Code of Maryland
10 (2015 Replacement Volume and 2017 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That the Laws of Maryland read as follows:

13 **Article – Health – General**

14 15–101.

15 (a) In this title the following words have the meanings indicated.

16 (h) “Program” means the Maryland Medical Assistance Program.

17 **15–149.**

18 (A) IN THIS SECTION, “NURSING HOME” HAS THE MEANING STATED IN §
19 19–1401 OF THIS ARTICLE.

20 (B) AT THE REQUEST OF A NURSING HOME, THE DEPARTMENT SHALL MAKE
21 AN ADVANCE PAYMENT TO THE NURSING HOME FOR UNCOMPENSATED PROGRAM
22 SERVICES PROVIDED TO A RESIDENT OF THE NURSING HOME WHO HAS FILED AN
23 APPLICATION FOR PROGRAM SERVICES IF THE ELIGIBILITY OF THE RESIDENT FOR
24 PROGRAM SERVICES HAS NOT BEEN DETERMINED WITHIN 90 DAYS AFTER THE
25 APPLICATION WAS FILED.

26 (C) AN ADVANCE PAYMENT PROVIDED UNDER SUBSECTION (B) OF THIS
27 SECTION MAY NOT EXCEED 50% OF THE ESTIMATED AMOUNT DUE FOR THE
28 UNCOMPENSATED SERVICES.

29 (D) (1) IF AN ADVANCE PAYMENT IS PROVIDED TO A NURSING HOME AND
30 AN APPLICATION FOR PROGRAM SERVICES IS GRANTED, THE DEPARTMENT SHALL
31 PAY THE BALANCE DUE TO THE NURSING HOME.

1 **(2) IF AN ADVANCE PAYMENT IS PROVIDED TO A NURSING HOME AND**
2 **AN APPLICATION FOR PROGRAM SERVICES IS DENIED, THE DEPARTMENT SHALL**
3 **RECOVER ANY ADVANCE PAYMENTS MADE ON BEHALF OF THE APPLICANT BY**
4 **REDUCING PAYMENTS DUE TO THE NURSING HOME.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
6 1, 2018. It shall remain effective for a period of 2 years and, at the end of June 30, 2020, this
7 Act, with no further action required by the General Assembly, shall be abrogated and of no
8 further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.