

# HOUSE BILL 1215

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HB 1599/17 – HRU

8lr3032  
CF SB 630

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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**

Introduced and read first time: February 8, 2018  
Assigned to: Health and Government Operations

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## A BILL ENTITLED

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 and generally relating to the Maryland Medical Assistance Program and advance  
10 payments to nursing homes.

11 BY repealing and reenacting, without amendments,  
12 Article – Health – General  
13 Section 15–101(a) and (h)  
14 Annotated Code of Maryland  
15 (2015 Replacement Volume and 2017 Supplement)

16 BY adding to  
17 Article – Health – General  
18 Section 15–149  
19 Annotated Code of Maryland  
20 (2015 Replacement Volume and 2017 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



## Article – Health – General

15–101.

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

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

15–149.

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

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

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2018.