

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 355

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “items;” insert “requiring the Department of Aging (Department) to approve a continuing care agreement within a certain time period under certain circumstances;”; and in line 16, strike “of Aging (Department)”.

On page 2, in line 22, after “7A,” insert “13(e)”; and in the same line, strike “20U” and substitute “20T”.

AMENDMENT NO. 2

On page 14, after line 15, insert:

“13.

(E) (1) IF A PROVIDER’S FEASIBILITY STUDY HAS BEEN APPROVED UNDER § 10 OF THIS SUBHEADING, THE DEPARTMENT SHALL DECIDE WHETHER TO APPROVE A CONTINUING CARE AGREEMENT WITHIN 180 DAYS OF RECEIPT OF A COMPLETE AGREEMENT.

(2) IF THE DEPARTMENT TAKES NO ACTION WITHIN 180 DAYS, THE AGREEMENT IS DEEMED APPROVED.”

AMENDMENT NO. 3

On page 17, strike in their entirety lines 33 and 34 and substitute:

“(2) The Department may refer a finding of possible financial difficulty to the Committee for its consideration. The Committee shall review the finding and may request additional information from the Department. Within 45 days of receipt of a finding, the Committee shall notify

(Over)

the Department in writing:

(I) [whether] WHETHER or not the Committee [finds] RECOMMENDS FINDING the provider in financial difficulty[.];

(II) WHETHER OR NOT THE COMMITTEE RECOMMENDS IDENTIFYING THE FINANCIAL DIFFICULTY AS INCLUDING A SIGNIFICANT RISK OF FINANCIAL FAILURE IN ACCORDANCE WITH SUBSECTION (H) OF THIS SECTION; AND

(III) [stating] STATING the REASON OR reasons for its [findings] RECOMMENDATIONS.

(3) The Committee may request one 30-day extension from the Secretary UNDER PARAGRAPHS (1) OR (2) OF THIS SUBSECTION. The Secretary may grant OR DENY the extension.”;

strike beginning with “RECOMMENDED” in line 35 down through the first “findings” in line 36 and substitute “RECOMMENDATIONS”; and in line 36, strike “RECOMMENDED findings” and substitute “RECOMMENDATIONS”.

On page 19, in line 18, strike “DAY’S” and substitute “DAYS”.

AMENDMENT NO. 4

On page 19, in line 29, strike “(1)”.

On pages 19 and 20, strike in their entirety the lines beginning with line 32 on page 19 through line 3 on page 20, inclusive.

On page 20, in line 4, after “(B)” insert “(1)”; strike beginning with “IF” in line 4 down through “PROVIDE:” in line 5 and substitute “BEFORE IMPOSING A CIVIL MONEY PENALTY UNDER SUBSECTION (A) OF THIS SECTION, THE DEPARTMENT SHALL ISSUE A NOTICE OF VIOLATION TO THE PROVIDER.”

(2) THE NOTICE SHALL PROVIDE:”;

in lines 6, 8, and 10, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; and in line 9, after “CORRECTED” insert “, WHICH TIME MAY NOT BE LESS THAN 30 DAYS”.

AMENDMENT NO. 5

On page 32, in line 16, strike “PARAGRAPH (2) OF THIS SUBSECTION” and substitute “SUBSECTION (A)(2) OF THIS SECTION”.

On page 33, in line 3, strike “DOMESTIC”.

On pages 33 and 34, strike in their entirety the lines beginning with line 5 on page 33 through line 12 on page 34, inclusive.

On page 34, in line 14, strike “IN THIS STATE OR A RECIPROCAL STATE”; and in line 23, strike “20P.” and substitute “20-O.”.

AMENDMENT NO. 6

On page 35, in lines 11 and 28, strike “20Q.” and “20R.”, respectively, and substitute “20P.” and “20Q.”, respectively.

On page 36, in line 22, strike “FILED IN THE STATE”; and in line 23, strike “DOMICILIARY RECEIVER OR ANCILLARY”.

On pages 37 through 39, strike in their entirety the lines beginning with line 19 on page 37 through line 11 on page 39, inclusive.

On page 39, in line 12, strike “20S.” and substitute “20R.”.

AMENDMENT NO. 7

On page 40, strike beginning with the colon in line 11 down through “(II)” in line 13; in lines 14 and 18, in each instance, strike “DOMICILIARY”; strike in their entirety lines 19 through 29, inclusive; and in line 30, strike “20T.” and substitute “20S.”.

On page 41, in line 25, strike “20U.” and substitute “20T.”.

On page 42, in line 7, strike “§ 20S” and substitute “§ 20R(C)”.