

SENATE BILL 630

J3
SB 1109/17 – FIN

8lr3153
CF 8lr3032

By: **Senators Madaleno, Benson, Feldman, Hershey, Jennings, Klausmeier,
Middleton, Reilly, and Rosapepe**

Introduced and read first time: February 1, 2018

Assigned to: Finance

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:

23 **Article – Health – General**

24 15–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

2 (h) "Program" means the Maryland Medical Assistance Program.

3 **15-149.**

4 (A) IN THIS SECTION, "NURSING HOME" HAS THE MEANING STATED IN §
5 **19-1401 OF THIS ARTICLE.**

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

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

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

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

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
23 1, 2018.