

249L.2 Definitions.

As used in [this chapter](#), unless the context otherwise requires:

1. “*Department*” means the department of human services.
2. “*Direct care worker*” means an employee of a nursing facility who holds a nursing assistant certification, is employed for the purpose of nursing assistance, and provides direct care to residents, regardless of the employee’s job title.
3. “*Gross revenue*” means all revenue reported by the nursing facility for patient care, room, board and services, but does not include contractual adjustments, bad debt, Medicare revenue, or revenue derived from sources other than nursing facility operations including but not limited to nonoperating revenue and other operating revenue.
4. “*Medically indigent individual*” means an individual eligible for coverage under the medical assistance program who is a resident of a Medicaid-certified nursing facility.
5. “*Nonoperating revenue*” means income from activities not relating directly to the day-to-day operations of a nursing facility such as gains on the disposal of a facility’s assets, dividends, and interest from security investments, gifts, grants, and endowments.
6. “*Non-state governmental entity*” means a hospital authority, hospital district, health care district, city, or county.
7. “*Non-state government-owned nursing facility*” means a nursing facility owned or operated by a non-state governmental entity for which a non-state governmental entity holds the nursing facility’s license and is party to the nursing facility’s Medicaid contract.
8. “*Nursing facility*” means a licensed nursing facility as defined in [section 135C.1](#) that is a freestanding facility or a nursing facility operated by a hospital licensed pursuant to [chapter 135B](#), but does not include a distinct-part skilled nursing unit or a swing-bed unit operated by a hospital, or a nursing facility owned by the state or federal government or other governmental unit. “*Nursing facility*” includes a non-state government-owned nursing facility if the nursing facility participates in the non-state government-owned nursing facility upper payment limit alternative payment program.
9. “*Other operating revenue*” means income from nonpatient care services to patients and from sales to and activities for persons other than patients which may include but are not limited to such activities as providing personal laundry service for patients, providing meals to persons other than patients, gift shop sales, or vending machine commissions.
10. “*Patient day*” means a calendar day of care provided to an individual resident of a nursing facility that is not reimbursed under Medicare, including the date of admission but not including the date of discharge, unless the dates of admission and discharge occur on the same day, in which case the resulting number of patient days is one patient day.
11. “*Uniform tax requirement waiver*” means a waiver of the uniform tax requirement for permissible health care-related taxes as provided in [42 C.F.R. §433.68\(e\)\(2\)\(i\) and \(ii\)](#).

[2009 Acts, ch 160, §2, 5; 2016 Acts, ch 1139, §80, 81, 83, 84; 2017 Acts, ch 174, §112, 115, 116](#) 2016 amendments by 2016 Acts, ch 1139, §80, 81 take effect May 27, 2016; 2017 amendment by 2017 Acts, ch 174, §112 takes effect May 12, 2017, and applies retroactively to May 27, 2016, and the amendments are applicable no earlier than the first day of the calendar quarter following receipt of approval of the Medicaid state plan amendment by the centers for Medicare and Medicaid services of the U.S. department of health and human services; 2016 Acts, ch 1139, §83, 84; 2017 Acts, ch 174, §115, 116

Editorial note: 2017 Acts, ch 174, §112 amends 2016 Acts, ch 1139, §81, which had already been codified in subsection 8 of this section in the 2017 Code, effective May 27, 2016. The 2017 amendments change the language of subsection 8, by reinserting the words “or other governmental unit” at the end of the first sentence and by replacing the phrase “supplemental payment program” with the phrase “alternative payment program”.

Subsection 8 amended