

House File 537

H-1232

1 Amend House File 537 as follows:

2 1. Page 1, after line 30 by inserting:

3 <Sec. _____. Section 231C.5, subsection 2, paragraphs
4 b and h, Code 2011, are amended to read as follows:

5 *b.* A statement regarding the impact of the fee
6 structure on third-party payments, and whether
7 third-party payments and resources are accepted by the
8 assisted living program. The occupancy agreement shall
9 also include a statement regarding whether third-party
10 payment is a basis for involuntary transfer or transfer
11 and the program's policy regarding retention or
12 involuntary transfer or transfer of a tenant following
13 depletion of private resources. A tenant residing in
14 an assisted living program prior to July 1, 2011, shall
15 not be subject to involuntary transfer or transfer
16 based solely on source of payment, unless the occupancy
17 agreement entered into prior to that date specifically
18 provided otherwise and was signed by the tenant or the
19 tenant's legal representative. An assisted living
20 program shall amend any occupancy agreement entered
21 into prior to July 1, 2011, to reflect the requirements
22 of this paragraph and shall obtain the signature
23 of the tenant or the tenant's legal representative
24 acknowledging the amendment to the occupancy agreement
25 no later than November 1, 2011.

26 *h.* (1) Occupancy, involuntary transfer, and
27 transfer criteria and procedures, which ensure a safe
28 and orderly transfer.

29 (2) Involuntary transfer and transfer criteria,
30 including criteria relating to third-party payments
31 and resources, shall be explicitly stated in the
32 occupancy agreement and shall also be included in a
33 separate cover letter to the occupancy agreement and
34 signed by the tenant or tenant's legal representative
35 at the time of initial tenancy. An assisted living
36 program shall amend any occupancy agreement entered
37 into prior to July 1, 2011, to reflect the requirements
38 of this subparagraph and shall obtain the signature
39 of the tenant or the tenant's legal representative
40 acknowledging the amendment to the occupancy agreement
41 no later than November 1, 2011.>

42 2. Title page, line 1, after <to> by inserting
43 <assisted living programs, including>

44 3. By renumbering as necessary.

ISENHART of Dubuque
