

Senate Study Bill 3054 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON RAGAN)

A BILL FOR

1 An Act relating to allowing financial supplementation to
2 a nursing facility for provision of a private room to a
3 recipient of medical assistance.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 249A.4, Code 2011, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 9A. a. Recommend to the council on human
4 services the adoption of rules allowing supplementation of the
5 combination of client participation and payment made through
6 the medical assistance program, by the resident of a nursing
7 facility or the resident's family, for provision of a private
8 room not otherwise covered under the medical assistance program
9 unless:

10 (1) The private room is therapeutically required pursuant
11 to 42 C.F.R. § 483.10(c)(8)(ii).

12 (2) No room other than the private room is available.

13 b. The rules shall require all of the following if a nursing
14 facility provides for such supplementation:

15 (1) The nursing facility shall inform all current and
16 prospective residents and residents' legal representatives of
17 the following:

18 (a) If the resident desires a private room, the resident
19 or resident's family may provide supplementation by directly
20 paying the facility the amount of supplementation.

21 (b) The nursing facility's policy if a resident residing
22 in a private room converts from private pay to payment under
23 the medical assistance program, but the resident or resident's
24 family is not willing or able to pay supplementation for the
25 private room.

26 (c) The private rooms for which supplementation is
27 required.

28 (d) The process for an individual to take legal
29 responsibility for providing supplementation, including
30 identification of the individual and the extent of the legal
31 responsibility.

32 (2) For residents for whom the nursing facility receives
33 supplementation, the nursing facility shall indicate in the
34 resident's record all of the following:

35 (a) Identification of the private room for which the nursing

1 facility is receiving supplementation.

2 (b) The identity of the individual making the supplemental
3 payments.

4 (c) The amount of the supplemental payment.

5 (d) The private pay charge for the private room for which
6 the nursing facility is receiving the supplemental payment.

7 (3) If the nursing facility only provides one type of
8 room or all private rooms, the nursing facility shall not be
9 eligible to request supplementation.

10 (4) A nursing facility may base the supplementation amount
11 on the difference between the amount paid for a room covered
12 under the medical assistance program and the private pay rate
13 for the private room identified for supplementation. However,
14 the total payment for the private room from all sources
15 shall be the lesser of the private room rate or not more than
16 two times the rate for the room covered under the medical
17 assistance program for which the resident would be eligible.

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EXPLANATION

19 This bill directs the director of human services to
20 recommend to the council on human services the adoption of
21 rules allowing supplementation under the medical assistance
22 program, by the resident of a nursing facility or the
23 resident's family, for provision of a private room not
24 otherwise covered under the medical assistance program.
25 Supplementation is not available if the private room is
26 therapeutically required under federal regulations or no room
27 other than the private room is available. The bill specifies
28 what the rules are to require if a nursing facility provides
29 for supplementation and the information to be included in
30 the resident's record if supplementation is received by
31 the nursing facility. The rules are to provide that if the
32 nursing facility only provides one type of room or all private
33 rooms, the nursing facility shall not be eligible to request
34 supplementation and also provides for limitation of the amount
35 of supplementation that a nursing facility may accept.