

Senate File 538 - Introduced

SENATE FILE 538
BY CELSI

A BILL FOR

- 1 An Act establishing a working group on nursing home Medicaid
- 2 payment recovery following the closure or sale of a nursing
- 3 home.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. WORKING GROUP ON NURSING HOME MEDICAID PAYMENT
2 RECOVERY.

3 1. The department of health and human services shall convene
4 a working group to review the discrepancy between nursing home
5 residents who are subject to Medicaid estate recovery after
6 receiving care from a nursing home, and nursing homes that are
7 not subjected to Medicaid payment recovery following the closure
8 or sale of a nursing home.

9 2. a. The working group shall include all of the following
10 members:

11 (1) The director of health and human services, or the
12 director's designee.

13 (2) The director of the Medicaid fraud control unit, or the
14 director's designee.

15 (3) At least three individuals with experience navigating the
16 Medicaid estate recovery process for nursing home residents.

17 (4) A co-owner of the Hale group.

18 b. The working group shall also include four members of
19 the general assembly serving as ex officio, nonvoting members,
20 one representative to be appointed by the speaker of the house
21 of representatives, one representative to be appointed by the
22 minority leader of the house of representatives, one senator to
23 be appointed by the president of the senate after consultation
24 with the majority leader of the senate, and one senator to be
25 appointed by the minority leader of the senate.

26 3. The department of health and human services shall provide
27 administrative support to the working group. The director of
28 health and human services, or the director's designee, shall
29 serve as chairperson of the working group, and shall schedule
30 meetings of the working group as necessary to complete the work
31 of the working group.

32 4. The department of health and human services shall submit
33 a report to the general assembly on or before February 28,
34 2026, containing recommendations to address the potential issues
35 involved with recovering a portion of Medicaid payments from a

1 nursing home following the closure or sale of a nursing home,
2 and any proposed legislation to provide public accountability
3 following closure or sale of a nursing home.

4 5. The working group shall dissolve upon submission of the
5 report to the general assembly and the director of health and
6 human services, but shall dissolve no later than March 1, 2026.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill establishes a working group on nursing home Medicaid
11 payment recovery (working group). The working group shall
12 review the discrepancy between nursing home residents who are
13 subject to Medicaid estate recovery after receiving care from
14 a nursing home, and nursing homes that are not subjected to
15 Medicaid payment recovery following closure or sale of a nursing
16 home. The working group shall consist of members as detailed
17 in the bill. The department of health and human services
18 shall provide administrative support for the working group and
19 the director of health and human services, or the director's
20 designee, shall serve as the chairperson for the working group.
21 The working group shall submit a report to the general assembly
22 on or before February 28, 2026, containing recommendations to
23 address potential issues with recovering a portion of Medicaid
24 payments following the sale or closure of a nursing home, and
25 any legislation to provide public accountability following sale
26 or closure of a nursing home. The working group shall dissolve
27 upon the submission of the report to the general assembly and
28 the director of health and human services no later than March 1,
29 2026.