

Human Services Committee JOINT FAVORABLE REPORT

Bill No.: SB-290

AN ACT CONCERNING CERTIFICATES OF NEED FOR LONG-TERM CARE

Title: FACILITIES.

Vote Date: 3/24/2022

Vote Action: Joint Favorable Substitute

PH Date: 3/8/2022

File No.:

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SPONSORS OF BILL:

Human Services Committee

REASONS FOR BILL:

This legislation will modify the certificate of need process for long-term care facilities. The passage of this act will better ensure public access to quality long-term care services by reassessing and amending how a facility can be further equipped to handle more patients by maintaining more licensed beds. This bill will detail the ways in which facilities can relocate, increase, or decrease the number of beds they manage. This act will also enable facilities to advocate for their needs, describing the application process for expansion or replacement of beds.

SUBSTITUTE LANGUAGE:

The substitute language for this bill incorporates some language requested by nursing home industries, including conferences with DSS before final decision. Such requests include requiring hearings on bed closure certificates of need within 30 days of CON application, cutting notice periods to nursing homes and the public from 14 days to 10 days for such hearings, and allows notice by electronic or first-class mail rather than certified mail.

RESPONSE FROM ADMINISTRATION/AGENCY:

Commissioner of the Department of Social Services, Deidre Gifford, supports the committee bill with proposed changes. DSS proposes to add language to encourage more nursing facilities to establish nontraditional small house style nursing facilities. Additionally, DSS proposes to revise existing criteria and establish additional criteria that are consistent with the strategic plan, designed to rebalance Connecticut's Medicaid long-term services and supports.

NATURE AND SOURCES OF SUPPORT:

President of LeadingAge Connecticut, Mag Morelli, supports the bill with proposed substitute language formulated with the Department of Social Services to establish a collaborative and efficient certificate of need process that will help the nursing home sector plan for the future of aging services.

President and CEO of the Connecticut Association of Health Care Facilities/ Connecticut Center for Assisted Living, Matthew V. Barrett, supports the bill. Revisions to the process that expedite applications and encourage construction, renovations, and replacement of nursing home infrastructure make tremendous sense as CT prepares for its dramatically aging population.

Executive Director of The Arc of Connecticut Inc., Win Evarts, supports the bill because The Arc of Connecticut Inc. believes in community-based, individualized support will lead to better outcomes for those needing support.

NATURE AND SOURCES OF OPPOSITION:

Chief Executive Officer of Essential HealthCare LLC, Mark Salamon, opposes this bill because the language may be a detriment to the ability to replace a 64-year-old facility with a state-of-the-art building that will provide a healthier environment for the residents and staff. Salamon rejects that a proposal to relocate nursing home beds "shall result in the closure of at least one currently licensed facility other than the facility that is being replaced" because they will not be able to displace beds in almost full nursing homes due to us building a replacement facility with the exact bed count which serves the population in need. Additionally, Salamon feels it counterintuitive to reduce the number of beds if they build a safer person-centered care facility, as directed in lines 234-237.

Reported by: Molly Lukiwsky

Date: 3/28/2022