
OLR Bill Analysis

SB 275

AN ACT PROHIBITING NURSING HOMES FROM REJECTING A PATIENT SOLELY ON THE BASIS THAT SUCH PATIENT RECEIVED MENTAL HEALTH SERVICES.

SUMMARY

This bill prohibits nursing homes from discriminating against applicants for admission solely because they received mental health services at any time.

Under the bill, “mental health services” include counseling, therapy, rehabilitation, crisis intervention, emergency services, or psychiatric medication to screen, diagnose, or treat mental illness.

Existing state regulation permits nursing homes to accept an applicant for admission with a manageable psychiatric condition if a psychiatrist, after an evaluation, determines it is medically appropriate (Conn. Agencies Regs. § 19-13-D13). In addition, federal law requires Medicaid-certified nursing homes to screen applicants for serious mental illness, intellectual and developmental disabilities (IDD), or related conditions to ensure they are not inappropriately placed in nursing homes (see BACKGROUND).

EFFECTIVE DATE: October 1, 2024

BACKGROUND

Medicaid Preadmission Screening Requirements for Nursing Homes

Federal law requires Medicaid-certified nursing homes to administer a Preadmission Screening and Resident Review (PASRR) program to screen applicants for serious mental illness, IDD, or related conditions to ensure nursing home care is medically appropriate and that the applicant will receive all necessary services (42 C.F.R. §§ 483.100-483.138).

Nursing homes perform two levels of PASRR screenings. Level 1 screenings determine whether a person might have one of the above listed conditions. If so, they undergo a more in-depth, Level 2 evaluation, which determines whether the applicant needs additional specialized services and recommends the appropriate setting for receiving them.

COMMITTEE ACTION

Public Health Committee

Joint Favorable

Yea 37 Nay 0 (03/20/2024)